

206 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-6847 of 2022(O&M)
Date of Decision: 28.10.2022**

Lakhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. H.S. Rajpoot, Advocate
 For the petitioner.**

Mr. C.L. Pawar, Addl. AG Punjab.

**Mr. A.S. Khinda, Advocate
For the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 320 dated 29.12.2021, registered under Sections 307, 308, 323, 325, 326, 506, 427, 148 and 149 IPC at Police Station Sultanpur Lodhi, District Kapurthala.

Counsel for the petitioner submits that the petitioner has been arraigned as accused in the main FIR against which there is also cross version based on the statement of Manvir Kaur. The counsel for the petitioner further submits that as per the allegations appearing on the record at the time of the alleged occurrence, the present petitioner was armed with sword and he caused injuries to Lakhwinder Singh and Dalbir Singh and both the said injuries were found to be simple in nature. The counsel for the petitioner further submits that petitioner has joined the investigation with

the police in the light of the order of interim bail dated 18.02.2022. The counsel for the petitioner further made prayer that the aforesaid order of interim bail be made absolute.

The present petition is contested by the State counsel as well as counsel for the complainant. The State counsel on instructions from ASI Balbir Singh has not disputed the fact that the petitioner is named as accused in the main FIR whereas the cross version is recorded vide DDR No.26 dated 03.01.2022. The State counsel further submits that at the time of the occurrence the petitioner was armed with sword and he caused injuries to Karnail Singh and Dalbir Singh and both the said injuries were found to be simple in nature. The State counsel has not disputed the fact that the petitioner has joined the investigation and recovery of sword has been effected.

I have considered the submissions made by counsel for the parties.

The present case involves version as well as cross version and the petitioner is nominated as accused in the main case and the allegations against the petitioner are that he caused simple injuries to Karnail Singh and Dalbir Singh with sword and has been stated by the State counsel the petitioner has joined the investigation and recovery of said sword has been effected.

In the light of the above, this Court is of the view that no purpose is going to be served if the petitioner is subjected to custodial interrogation at this stage.

In view of the above, without commenting on the merits of the case present petition is allowed and interim order dated 18.02.2022 is hereby made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

28.10.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No