

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.201

CRM-M-10802-2020

Date of decision: 04.03.2022

Kuldeep Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Amit Arora, Advocate, for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. PBS Goraya, Advocate, for the complainant.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.12 dated 19.02.2020 registered under Sections 323, 324, 384, 34 IPC (Section 326 IPC added later on) at Police Station Fattudhinga, District Kapurthala.

The petitioner and his co-accused Puneet Singh are being prosecuted for having inflicted injuries on Sukhjinder Singh and Kabal Singh.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case due to a land dispute between the parties; the injuries on the complainant party are self inflicted; the complainant-party was the aggressor; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, only simple injuries are attributed to the petitioner and that the petitioner is also ready and willing to join the investigation.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner and his co-accused inflicted as many as 10 injuries on Sukhjinder Singh and Kabal Singh and that the petitioner has also been convicted under the Excise Act.

After considering the afore rival submissions and particular in that the petitioner has been attributed only simple injuries, this Court is of the opinion that subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of her arrest in FIR No.12 dated 19.02.2020 registered under Sections 323, 324, 384, 34 IPC (Section 326 IPC added later on) at Police Station Fattudhinga, District Kapurthala, he shall be released on anticipatory bail to the satisfaction of the Arresting Officer.

March 04, 2022

Jyoti 1

Whether speaking/reasoned
Whether reportable

(DEEPAK SIBAL)

JUDGE

Yes/No
Yes/No