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

**CRM-M-17014-2022
Date of Decision: 31.10.2022**

BUTA RAM @ BITTU

....Petitioner(s)

Versus

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vivek Aggarwal, Advocate for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No. 40 dated 18.03.2022, under Sections 323, 324, 506 and 34 IPC (Section 308 IPC added later on), registered at Police Station Division No.7, Jalandhar.

It has been submitted by the learned counsel for the petitioner that basically the dispute was only a dispute between landlord and tenant and it is also a case of version and cross-version whereby even the petitioner party was also injured and the present petitioner had also lodged a DDR vide Annexure P-3 and the provisions of Section 308 IPC were added later on after the receipt of the opinion of the doctor that the injuries were dangerous to life. He further submitted that in fact the other

party was the aggressor party and it is yet to be determined as to who is the aggressor party at the time of trial. He further submitted that even otherwise also in pursuance of the orders passed by this Court on 26.04.2022 the petitioner has already joined investigation and he has fully cooperated with the investigation process and therefore, the interim order may be confirmed.

Mr. Amit Rana, learned Senior Deputy Advocate General, Punjab on instructions from ASI Vinay Kumar has stated that in pursuance of the orders passed by this Court on 26.04.2022, the petitioner has already joined investigation and he has fully cooperated with the investigation process and he is not required for custodial interrogation.

I have heard the learned counsel for the parties.

The present case is a case of version and cross-version and both the parties had lodged their respective complaints before the police. As per the learned counsel for the parties, in pursuance of the orders passed by this Court on 26.04.2022 the petitioner has already joined investigation and as per the learned State counsel, he is not required for custodial interrogation.

In view of the aforesaid position, this Court deems it fit and proper to allow the present petition.

Consequently, the present petition is allowed. The order dated 26.04.2022 is made absolute.

31.10.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)
JUDGE

: Yes/No
: Yes/No