

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

207

CRM-M-27407-2021

Date of Decision: 08.03.2022

Saif Ali @ Saifu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Narinder S. Lucky, Advocate,
for the petitioner.

Mr. M.S.Dullat, Addl. AG, Punjab,
assisted by ASI Sikander Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.21 dated 10.02.2021 at Police Station Dasuya, District Hoshiarpur, under Sections 323/324/326/341/506/148/149 IPC.
2. The FIR in question has been lodged at the instance of Yakub Ali, wherein it is alleged that on 08.02.2021, when he was going on his motorcycle, then he was waylaid by Saif Ali @ Saifu, Sarajdin @ Sarju and Ganju, brother-in-law of Sheru as well as three unidentified persons, who came in a white coloured Swift car. It is alleged that Saif Ali @ Saifu (petitioner) gave a blow on the right side of the complainant's head with a *datar*. Sarajdeen @ Sarju is stated to have given a blow with *khanda* on the back of

complainant's head. The third blow is alleged to have been given by the brother-in-law of complainant's elder brother Jangu with the help of *kirpan* hitting the complainant left bicep. The petitioner is also alleged to have inflicted another injury with the help of *datar* on the finger of right hand.

3. Learned counsel for the petitioner contends that the FIR in question came to be lodged as a counter-blast to the complaint moved by petitioner's sister and that the matter is now amicably resolved amongst the parties and a petition for quashing of the FIR on the basis of compromise has already been filed in this Court. Learned counsel has further submitted that in any case, the injuries attributed to the petitioner i.e. injuries No.1 & 4 have been declared to be simple in nature.
4. On the other hand, learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.
5. Having regard to the aforestated position, wherein the petitioner is stated to be attributed simple injuries and the matter has been compromised amongst the parties and the petitioner, in any case, has joined investigation and is not required for custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 14.12.2021 are hereby made absolute subject to the condition that the petitioner shall join

investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

08.03.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No