

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

CRM-M-32218-2021
Date of Decision:-14.07.2022

JASBIR SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Raj Kumar Arya, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail in case having FIR No.167 dated 11.5.2021 registered under Sections 323, 324, 326, 452 IPC at Police Station Ajnala, District Amritsar (Rural).

Counsel for the petitioner submitted that the petitioner has joined investigation in the light of previous order dated 1.11.2021 passed by this Court.

State counsel on instructions from ASI Surinder Singh has not disputed the aforesaid fact and further submits that now the petitioner is not required by police for further custodial interrogation. The State counsel

further apprised the Court that recovery of the weapon used by the petitioner has already been effected by the police.

As per the allegations in the FIR at the time of occurrence, the petitioner attacked complainant and gave sword blows on right side of the head and right side of shoulder of the complainant. The offence under Section 326 IPC was later on added by the police on the basis that injury on the right side of head of the complainant was found to be grievous in nature. However, as per opinion dated 26.4.2021 given by the concerned doctor, the possibility of the said injury being caused by friendly hand could not be ruled out.

Admittedly the recovery of the weapon has been effected in the present case. In view of the above and without commenting on the merits of the case, present petition is allowed and order dated 1.11.2021 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

14.07.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No