

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-51999-2021

Date of decision : 15.2.2022

Kaka Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Nirmaljit Singh Sidhu, Advocate,
for the petitioner.

Mr. C.L.Pawar, Sr. DAG, Punjab.

Mr. Deepinder Singh Brar, Advocate,
for the complainant.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

The present petition has been filed under Section 438 of code
of Criminal Procedure for grant of anticipatory bail to the petitioner in case
FIR No.79 dated 8.11.2021 registered under Section 458, 323, 148, 149
IPC (Section 325 IPC added later on) at Police Station S.G.N. Dev Thermal
Plant, District Bathinda.

Counsel for the petitioner submitted that the petitioner has
joined the investigation with the police in compliance of order of interim
bail dated 22.12.2021. This fact has been admitted by the counsel for the
State who on instructions from ASI Sukhdev Singh submitted that the
petitioner is not required by the police for any custodial interrogation.

However, counsel for the complainant submitted that the petitioner is not entitled to the concession of anticipatory bail as he caused grievous injury on the left jaw of complainant-Shivender Singh. Counsel for the State admitted that on the basis of the medical report, offence under Section 325 IPC was later on added, on account of the aforesaid injury stated to be caused by the petitioner. Undisputedly, even offence under Section 325 IPC is a bailable offence.

In view of the above, the present petition is allowed and order of interim bail dated 22.12.2021 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

February 15, 2022
Paritosh Kumar

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No