

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8731-2022 (O&M)

Date of decision : 24.2.2023

Karamjit Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Dr. Anmol Rattan Singh Sidhu, Sr. Advocate with
Ms. Mandeep Kaur, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

Mr. Vivek Thakur, Advocate,
for the complainant.

KARAMJIT SINGH, J.

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.320 dated 29.12.2021 registered under Sections 307, 308, 323, 325, 326, 506, 427, 148, 149 IPC at Police Station Sultanpur Lodhi, District Kapurthala.

Counsel for the petitioner submits that the petitioner has been named as accused in the main FIR No.320 dated 29.12.2021 which was registered on the basis of statement of Manjit Kaur, as per which, the petitioner caused injuries to Jagdish Singh with base ball bat; that there is also cross version having GD No.26 dated 3.1.2022 which was registered on the basis of statement of Manveer Kaur, as per which, the opposite party caused grievous injuries to the present petitioner. Counsel for the petitioner

further submits that the petitioner has joined the investigation with the

police.

Present petition is opposed by the counsel for the complainant who submits that the petitioner is named in the FIR and he was member of the unlawful assembly constituted by co-accused Jaskaranjit Singh who while driving the tractor with an intention to cause harm to said Manjit Kaur, Jagdish Singh, Karandeep Singh, Karnail Singh and Dalbir Singh, caused grievous injuries to Manjit Kaur and even his accomplices including the petitioner also caused injuries to the aforesaid persons.

State counsel submits that the petitioner caused grievous injury with base ball bat to Jagdish Singh. However, he has not disputed the fact that the petitioner has joined the investigation and further submits that now the petitioner is not required by the police for any further investigation or custodial interrogation.

I have considered the submissions made by the counsel for the parties.

It is for the trial Court to ascertain which party was the aggressor, after appreciation of the evidence adduced on record.

As per injury chart which is part of the reply filed on behalf of the State by way of affidavit of Rajesh Kakkar, DSP, Sub Division Sultanpur Lodhi, District Kapurthala, the petitioner caused grievous injury on the left forearm/elbow of Jagdish Singh with blunt weapon (base ball bat). The petitioner has joined the investigation with the police and as has been stated by the State counsel, now the petitioner is not required by the police for further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 2.3.2022

is hereby made absolute subject to the conditions as envisaged under
Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

February 24, 2023
Paritosh Kumar

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