

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-13421-2023

Date of Decision:-21.07.2023

Jaskaran Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. R.D. Rattewal, Advocate for the Petitioner.

Ms. Ramta K Chaudhary, DAG Punjab.

Mr. S.K. Banga, Advocate for the Complainant.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition under Section 438 Cr.PC is for grant of anticipatory bail in case bearing FIR No.85 dated 02.10.2022 under Sections 452, 324, 323, 148, 149 IPC and Sections 326 and 307 IPC added later on registered at Police Station Kathgarh, District SBS Nagar.

On 17.03.2023 the following order was passed:-

“ Prayer in the present petition is for the grant of anticipatory bail to the petitioner in FIR No.85 dated 02.10.2022 under Sections 452, 324, 323, 148, 149 IPC and Sections 326 and 307 IPC, 1860 added later on registered at police Station Kathgarh, District SBS Nagar.

Learned Counsel for the petitioner contends that the injuries attributed to the petitioner are below the elbow of right arm and below the right knee of right leg and both the injuries are declare grievous in nature but are not dangerous

to life as it is evident from perusal of the FIR.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG Punjab accepts notice on behalf of respondent-State, who seeks time to get instructions in the matter.

In the meantime, the petitioner is directed to be released on interim bail subject to the satisfaction of Arresting Officer/Investigating Officer, on his joining investigation as and when called for an co-operate in investigation and also shall abide by the conditions as envisaged under Section 438(2) Cr.PC.

Adjourned to 18.07.2023.”

Thereafter on 18.07.2023 the following order was passed:-

“ The learned Counsel for the petitioner submits that the petitioner shall get recovered the gandasi allegedly used in the commission of the offence.

For the said purpose, the petitioner is directed to appear before the investigating agency tomorrow i.e. 19.07.2023 at 10.00 am in terms of the order dated 17.03.2023.

Adjourned to 21.07.2023.

Interim order to continue.”

The Counsel for the petitioner contends that in terms of the aforementioned orders he has joined investigation and has handed over the weapon of offence. He contends that co-accused Amandeep Singh who had also been attributed a grievous injury has been granted the concession of anticipatory bail. He states that for the injuries caused to the complainant he is ready and willing to compensate the complainant adequately.

The Counsel for the complainant on the other hand contends that Amandeep Singh and Jaskaran Singh-petitioner both have caused grievous injuries to the injured-complainant. He however, admits that so far as Amandeep is concerned he has been granted the concession of

anticipatory bail.

I have heard learned Counsel for the parties.

Admittedly, the petitioner has joined investigation. His similarly situated co-accused Amandeep Singh has been granted the concession of anticipatory bail. However, injured-Kuldeep Singh has suffered multiple injuries.

In view of the above, subject to the petitioner paying a sum of Rs.50,000/- to the complainant, the interim order dated 17.03.2023 is made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so and she shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 21, 2023
Vinay

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