

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

CRM-M-44864-2023

Date of decision: 12.10.2023

MUKHTIAR SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Harjinder Singh, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJIV BERRY, J.(ORAL)

By way of present petition filed under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in cross-version bearing DDR No.41 dated 08.07.2023 under Sections 323, 324, 506 and 34 of IPC and Section 326 of IPC added later on, registered at P.S. Sultanpur Lodhi, District Kapurthala (Annexure P-1) in case FIR No.137 dated 08.07.2023 under Sections 323, 324, 506 and 34 of IPC, registered at P.S. Sultanpur Lodhi, District Kapurthala (Annexure P-2).

2. Status report dated 12.10.2023 in the form of an affidavit of Deputy Superintendent of Police, Sub Division Sultanpur Lodhi, Kapurthala, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

CRM-M-44864-2023

-2-

3. Learned counsel for the petitioner, *inter alia*, contended that there had been a land dispute between the petitioner and the complainant party and due to dispute regarding use of water canal, a fight took place regarding which FIR (Annexure P-2) was registered and in the cross-version vide DDR No.41 (Annexure P-1), the present petitioner has been nominated as one of the accused. He further submits that the petitioner had not encrypted an injury, but he has been named to have caused injury on the right hand little finger of the accused-injured Charanjeet Singh alias Charanpreet Singh. Learned counsel for the petitioner further submits that in compliance to the order dated 11.09.2023, the petitioner has already joined investigation.

4. Per contra, learned State counsel, on instructions from ASI Baldev Singh, submits that the petitioner has joined investigation in this case and submits that the injury attributed to the petitioner has been declared to be under Section 326 of IPC.

5. After considering the rival contentions and going through the averments made in the petition as well as in the reply, it transpires that this is a case arising out of a land dispute between the parties. There had been an FIR and cross-version as well and the petitioner has been nominated as one of the accused in cross-version and the injury attributed to him is on the little finger of the right hand having been caused to one Charanjeet Singh alias Charanpreet Singh. The petitioner has already joined the investigation in pursuance to the interim order dated 11.09.2023 passed by this Court.

6. In these circumstances, without commenting on the merits of the case, the interim bail granted to the petitioner vide order dated 11.09.2023 is, hereby, confirmed subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

12.10.2023
kanika

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |