

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

**CRM-M-5505-2024**

**Date of Decision: 28.02.2024**

Laksh Khokher @ Kalu

...Petitioner

vs.

State of Punjab

...Respondent

**Coram : Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Vaibhav Narang, Advocate  
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

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**N.S.Shekhawat J. (Oral)**

1. Short Reply by way of an affidavit of Assistant Commissioner of Police (Central), Amritsar City has been filed on behalf of the respondent-State in Court today and the same is taken on record.

2. The petitioner has filed the present petition under Section 438 of Cr.P.C., with a prayer to grant anticipatory bail to him in case FIR No.144 dated 11.12.2023, registered under Section 323, 34 of IPC (Section 326 of IPC added later on), at Police Station Division D, District Police Commissionerate, Amritsar.

3. Learned counsel for the petitioner contends that as per version of the complainant, the petitioner was armed with a knife and had caught Kabir from his arms and thereafter, Satyam and Karan, co-accused had allegedly caused injuries to Kabir. Learned counsel further contends that it has been alleged that the petitioner had caused injuries to Gursahil Singh and all the injuries suffered

by Gursahil Singh have been declared to be simple in nature. He further contends that there is a delay of 10 days in lodging the FIR in the present case. Learned counsel further contends that the injury, which has been declared to be grievous in nature, is attributed to other co-accused, namely, Satyam, non-applicant. Thus, the custodial interrogation of the petitioner may not be required, at this stage.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are serious allegations against him.

4. I have heard learned counsel for the parties and perused the record.

5. As per case of the prosecution, the only role attributed to the present petitioner is that he had caught hold the arms of Kabir and had caused injuries to Gursahil Singh. Even the injuries suffered by Gursahil Singh have been declared to be simple in nature.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

28.02.2024.

hemlata

(N.S.SHEKHAWAT)

JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |