



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

CRM-M-30828-2024

DECIDED ON: 01.07.2024

DAVINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Prateek Pandit, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in cross-case No.20, dated 25.02.2024 (Annexure P-2), under Sections 323, 326, 506, 148, 149 IPC (offence under Section 326 IPC added later on) in case FIR No.15, dated 25.02.2024 (Annexure P-1), under Sections 324, 326, 506, 148 and 149 IPC, 1860 (offence under Section 326 IPC added later on), registered at Police Station Dhilwan, District Kapurthala.

Learned counsel for the petitioner contends that it is a case of cross-version wherein the petitioner is the author of FIR No.15, dated 25.02.2024 against the complainant-Harpinder Singh. He further contends that the only role attributed qua the petitioner is causing injury on the little finger of left hand of the complainant Harpinder Singh and the same is declared to be grievous in nature as is evident from medical report.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State and on instructions from

ASI Parmjit Kumar submits that custodial interrogation of the petitioner at

this stage is not required subject to the petitioner joining the investigation and cooperating with the investigating officer so that final report can be completed within the stipulated time frame and presented to the Court.

Mr. Dharambir Bhargav, Advocate has put in appearance on behalf of the complainant and filed his Power of Attorney, which is taken on record. He submits that the petitioner does not deserve the concession of anticipatory bail as the petitioner has been attributed grievous injury but he is in consonance with the injury received on the little finger that has not been denied in so many words. He further submits that the Harpinder Singh, who is an accused in FIR No.15, dated 25.02.2024 already stands granted the concession of anticipatory bail by this Court vide order dated 23.05.2024 passed in CRM-M-26349-2024 (Annexure P-6).

In the light of above, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

(SANDEEP MOUDGIL)
JUDGE

01.07.2024

Poonam Negi

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No