207-1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-46390-2023
Date of decision: 25.01.2024

Sagar Dubey

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. G.S. Verma, Advocate and
Mr. Rajpal Singh, Advocate for the petitioner.

Mr. Virat Rana, AAG, Punjab.

Mr. Jagpal Singh, Advocate for the complainant.
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KARAMJIT SINGH, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 438 Cr.P.C. seeking grant of anticipatory bail in case having FIR No.151 dated 05.07.2023, under Sections 452, 307, 326, 323, 324, 506, 427, 148 & 149 of IPC, at Police Station Jamalpur, District Ludhiana (Annexure P-1).

2. The allegations in nutshell are that at the time of occurrence, petitioner and other accused persons caused injuries to Kanhiya Kumar @ Adarsh Rai with the help of different weapons and at that time petitioner gave sword blow on left wrist of complainant Kanhiya Kumar.

3. The counsel for the petitioner submits that the petitioner was

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granted interim bail vide order dated 20.12.2023 with direction to join the investigation with the police. In compliance of the said order, the petitioner joined investigation in the present case.

4. The present petition is resisted by the counsel for the complainant who submits that petitioner and other accused persons caused various injuries to the complainant and some of the injuries are covered under Section 307 IPC.

5. The State counsel on instructions from ASI Joginder Pal has not refuted the assertions made by the counsel for the petitioner and further submits that the petitioner is not required for any further investigation or custodial interrogation by the police. The State counsel has not refuted the fact that the injuries attributed to the petitioner are found to be simple in nature.

6. In light of the above, no purpose is going to be served even if, the petitioner is subjected to custodial interrogation at this point of time.

7. For the foregoing reasons, without expressing any opinion on the merits of the case, the present petition is allowed and order of interim bail dated 20.12.2023 is made absolute. However, the petitioner shall abide by the conditions as specified under Section 438 (2) Cr.P.C.

25.01.2024 **(KARAMJIT SINGH)**
Yogesh **JUDGE**

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

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