

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11733-2019

Date of decision: 29.04.2019

Jagsir Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kuljinder Singh Dhindsa, Advocate for
Mr. B.S. Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.238 dated 17.12.2018 under Sections 307, 353, 186, 427 IPC, registered at Police Station Sardulgarh, District Mansa.

While granting interim bail to the petitioner, following order was passed by this Court on 25.03.2019 :-

“Learned counsel for the petitioner submits that as per allegations in the FIR, one Constable Gurpartap Singh was present at a naka laid down by the police and at about 8.30 p.m., he spotted a vehicle driven by petitioner Jagsir Singh, with whom the complainant was well acquainted and at the naka, when the police indicated him to stop the vehicle, he tried to run over one

Constable Balkar Singh, however, said Balkar Singh jumped towards his back and saved himself. It is further stated in the FIR that the petitioner sped away from the spot, despite being chased by the police and when the police party again came back at the naka, after some time, the petitioner along with 3-4 other persons came back in a white Bolero vehicle and with an intention to cause injuries, hit the car of complainant on right side with baseball bat. It is submitted that no one was injured.

It is further submitted that in fact there is no enmity of the petitioner with the complainant and he is falsely implicated in this FIR, as his co-villager namely Gursewak Singh was arrested by the police in FIR No.187 dated 01.10.2018 under Section 61 of Excise Act. The said accused was suffering from Hepatitis-C and the petitioner has gone to the police station to provide him medicines, however, the complainant in the present FIR, Constable Gurpartap Singh did not allow the petitioner to give medicines to said person, on account of which, hot words were exchanged and the petitioner has been implicated in the present FIR.

Learned State counsel, on instructions from ASI Jarnail Singh, could not give any satisfactory reply if there is any report with regard to damage caused to any official vehicle, however, it is submitted that it was a private vehicle, which was damaged by the petitioner.”

Learned counsel for the petitioner submits that in pursuance of the

aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Chamal Lal, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 25.03.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

29.04.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No