

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39429-2019

Date of decision-25.09.2019

Darpan Singla

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Krishan Kumar Thakur, Advocate for the petitioner.
Mr. Hittan Nehra, Addl.AG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Darpan Singla has prayed for grant of anticipatory bail in case FIR No.176 dated 17.06.2016 under Sections 452, 324, 427, 148 and 506 read with Section 149 of Indian Penal Code, 1860 registered at Police Station Division No.5, District Police Commissionerate Ludhiana.

The FIR was registered on the statement of complainant, namely, Sachin Pabbi son of Late Sham Lal wherein it was alleged that on 15.06.2019, at about 11.15 p.m complainant went to Agar Nagar along with his friend to attend Jagrata whereas his younger brother was alone in the house. He received a call from his brother who intimated that Darpan (petitioner) along with his friends armed with datta, sword, bricks and rods etc entered in the house and started abusing him. They all damaged the household things and gave leg and fist blows to the brother of the complainant. When complainant was returning home, then all assailants gave beating to him with their respective weapons and ran away after giving threats.

Learned counsel for the petitioner contends that the alleged

occurrence took place on 15.06.2019 whereas the FIR was registered after a gap of two days on 17.06.2019. According to him, the petitioner was assaulted by complainant Sachin on 16.08.2019 and has suffered four injuries as per the MLR (Annexure P-2). According to him, in the given facts, custodial interrogation of the petitioner may not be required.

On the other hand, learned State counsel on instructions from ASI Tejinder Singh has opposed the prayer. He has shown the photograph showing damage of motorcycle and some plastic utensils. Learned State counsel has feigned ignorance about the complaint allegedly given by co-accused of the petitioner, namely, Mohan Singh.

At this stage, learned counsel for the petitioner has referred to order dated 22.07.2019 (Annexure P-4) to contend that even his co-accused had also suffered injuries in the said occurrence.

Considering the above background, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

25.09.2019

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No