

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.101

CRM-M-8452-2020 (O&M)

Date of decision : 27.2.2020

Harpreet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. K.S. Brar, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

Learned counsel for the petitioner submits that after withdrawal of the first application, co-accused Inderjit Singh, who is attributed the Section 307 IPC injury, has been granted interim bail by this Court. The petitioner has not been attributed any specific injury and thus, he deserves the concession of anticipatory bail.

Notice of motion.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab, accepts notice on behalf of the State-respondent. A copy of the petition be supplied to him during the course of the day.

Mr. Rakesh Roy, Advocate, puts in appearance on behalf of the complainant.

Learned counsel for the complainant submits that the petitioner was involved in the second incident of assault. After the first instance of assault, the assailants went away and returned in strength. The petitioner was also accompanying the party at that time and he raised a lalkara. Since, the petitioner exhorted the co-accused and attacked the complainant party, his offence is as serious as that of the main accused. The main accused is alleged to have inflicted a Section 307 IPC injury, which is a

serious offence. Thus, the petitioner is not entitled to grant of anticipatory bail.

However, learned counsel for the complainant has no answer to the question that the main accused, namely, Inderjit Singh has been granted interim bail by this Court.

In view of the fact that the main accused has been granted interim bail by this Court, I deem it appropriate to release the petitioner on anticipatory bail. The petitioner is directed to join investigation at the first instance on 2.3.2020 at 10.00 a.m. In the event of his arrest, he shall be released on bail to the satisfaction of the Arresting Officer subject to compliance with conditions enshrined in Section 438 (2) Cr.P.C. Thereafter, the petitioner shall continue to join investigation as and when required by the investigating agency.

Liberty to the State as well as the complainant, to seek cancellation of the anticipatory bail granted to the petitioner, in case, of violation of any of the conditions of this order or the order of bail.

The petition stands disposed of.

(SUDHIR MITTAL)
JUDGE

27.2.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No