

Sr. No. 202

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

CRM-M-10264-2020 (O&M)

Date of Decision: 16.06.2020

Bawa Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Amit Choudhary, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Yogesh Goel, Advocate
For the complainant.

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking anticipatory bail in FIR No. 258 dated 20.11.2019, registered under Sections 307, 323, 324, 326, 506 read with Section 34 IPC, Police Station Sadar Jagraon.

2. Learned counsel for the petitioner submits that petitioner is aged about 72 years and he has been falsely implicated in the FIR only because there is civil dispute going on between the complainant and son of the petitioner. He further submits that the petitioner is infirm and not maintaining good health and his presence shown at the spot is highly doubtful. According to learned counsel, the petitioner is ready to join the investigation and will cooperate in the same.

3. On the other hand learned State counsel assisted by learned counsel for the complainant opposes the plea. According to learned State

counsel, weapon of offence is yet to be recovered from the petitioner and he is not entitled to any protection.

4. I have heard learned counsel for the petitioner as well as learned State counsel assisted by learned counsel for the complainant.

5. It has come on record that the petitioner is an 72 years old person and has recently undergone angioplasty/heart treatment. He is ready to join the investigation. In the circumstances, without commenting on the merits of the case, the petition is allowed. The petitioner is directed to surrender before the Chief Judicial Magistrate/ Duty Magistrate/ Illaqa Magistrate, as the case may be and also unconditionally furnish an FDR of Rs.1,00,000/- in the name of complainant, as an interim compensation, without this being treated as any reflection of his guilt, towards the injuries suffered by complainant, which shall be released to the complainant against proper receipt and identification. On his doing so, petitioner shall join the investigation and in the event of causing his arrest, he shall be released on bail by furnishing personal bond/surety to the satisfaction of the Investigating Officer/ Arresting Officer, subject to the conditions stipulated under Section 438(2) Cr.P.C.

16.06.2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No