

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-12038-2020 (O&M)

Date of Decision:- 8.7.2020

Vijay Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Gursharan K. Mann, Advocate, for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Mr. Parnav Handa, Advocate, for the complainant.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.24, dated 27.2.2020, Police Station Division No.7, District Police Commissionerate Jalandhar, under Sections 307, 326, 451, 148, 149, 427, 120-B IPC.
2. The FIR in question was registered at the instance of Ricky Sachdeva wherein it has been alleged that on 26.2.2020 at about 8 pm when he

along with his friend Altaf Khan was watching cricket match on TV in his shop, then all of a sudden 8-10 persons with muffled faces who were carrying weapons like '*datar*' and 'swords' attacked the complainant with an intention to kill him and caused injuries on the left side of his head above the ear, palm, fingers left leg, right arm and index finger of right hand. It is further alleged in the FIR that the said persons had been sent by Vijay Kumar Sondhi for the reason that he had a dispute with the aforesaid Vijay Kumar.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in any case he is not amongst the assailants as is evident from the FIR wherein the complainant has specifically stated that the unknown persons had been sent by the petitioner.
4. Opposing the petition the learned State counsel has submitted that two of the co-accused namely Mukesh and Dilkhush have suffered disclosure statement nominating the petitioner as an accused by stating that they had been asked by the petitioner to cause injuries to the complainant. It has further been submitted that during the course of investigation it had been found that scooty of the petitioner had been used by the remaining accused who had caused injuries. Learned State counsel has however informed that the petitioner had earlier remained in custody for 36 days after which he had been got discharged by the police and that now when his role became imminent after disclosure statements made by co-accused, he has since joined investigation.

5. I have considered rival submissions addressed before this Court. Keeping in view the fact that the petitioner is not alleged to have caused any injury and the allegation is that on account of some previous enmity he had sent the other accused for causing injuries and while also noticing that the petitioner has also joined investigation, this Court find that it is a fit case for grant of anticipatory bail. The petition, as such is hereby accepted and interim directions issued vide order dated 7.5.2020 are made absolute subject to the condition that the petitioner shall appear and join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

July 8, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No