

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M No.12042 of 2020(O&M)

Date of Decision: May 22 , 2020.

Pritam Singh

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gaurav Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the pandemic, COVID-19.

CRM No.10550 of 2020

Copy of Medical Report is taken on record as Annexure P5.

Exemption from filing of certified copy thereof is granted. Learned counsel for the petitioner undertakes to deposit the court fee within one week of resumption of normal proceedings in the Court.

Application is disposed of.

CRM No.M-12042 of 2020

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.35 dated 21.03.2020, under Sections 307/506 IPC and Section 25 of the Arms Act, Police Station Dayalpura, District Bathinda.

It is contended that the petitioner has been falsely implicated in this case as is apparent from a bare perusal of the FIR. The incident in question, it is submitted, took place on 15.03.2020 and the FIR was registered on 21.03.2020. The petitioner himself received four injuries which are not even explained in the FIR. The petitioner undertakes to join investigation as and when required and face the proceedings and not misuse the concession of anticipatory bail, if granted. Therefore, it is prayed that this petition be allowed.

This matter had been adjourned to enable learned counsel for the State to provide the Medico Legal report of the complainant. Learned counsel for the State has produced a copy of the complainant's Medico Legal Report through the medium of WhatsApp. The complainant is reflected to have received four lacerated wounds, all in the dimensions of 1cm x 1cm. It is stated in the FIR that tattooing and blackening is present around the said wounds. Learned counsel for the State has opposed this petition.

Heard learned counsel for the parties.

It is not in dispute that the incident in question took place on 15.03.2020 and FIR was lodged on 21.03.2020. As per the FIR itself, it is mentioned that the incident took place at/near the petitioner's house. The complainant and his nephew had proceeded to the petitioner's residence. Learned counsel for the State is unable to deny that the petitioner has also received

injuries. MLR dated 15.03.2020 is on record as Annexure P3 with the petition. The petitioner has also received a lacerated wound of 4cm x 1cm on the left parietal area with swelling present around the wound and fresh bleeding is also mentioned to be present. At this stage there is, admittedly, no explanation in respect to the injuries received by the petitioner.

Learned counsel for the State is unable to deny that the petitioner is not involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. The petitioner shall join investigation as and when required by the investigating agency and shall fully cooperate in the investigation of this case. In the event of his arrest, petitioner be released on bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

May 22 , 2020.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No