

CRM-M-13389-2020

Date of decision: 01.06.2020

Jatinder Singh @ Shera

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. A.S. Bhatti, Advocate
for the petitioner.**FATEH DEEP SINGH, J.(ORAL)**

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Mr. Dhruv Dayal, Senior DAG, Punjab puts in appearance on behalf of the State on his own.

Petitioner, Jatinder Singh @ Shera, has come up in this first anticipatory bail application under Section 438 Cr.P.C. in case bearing FIR No.130 dated 16.04.2020 under Sections 323, 354, 354-B, 328, 452, 188, 506, 148 and 149 of the Indian Penal Code registered at Police Station City Kapurthala, District Kapurthala.

The present case has got registered on the statement of the complainant-Kulwinder Kaur.

The brief allegations are that one, Kajalpreet and her husband Ravi, while going in front of the house of the complainant, started abusing them and as a consequence of which,

accused/non-applicant-Ravi, Ranjit Kaur @ Renu, Shinder Pardhan, Balbir Singh Billa along with 5/6 other persons came and started assaulting the complainant. It is alleged that the accused/non-applicant-Kajalpreet gave a *danda* blow on the left hand of the complainant, whereas, Renu gave *danda* blow on the left side of the abdomen, while the petitioner is alleged to have given *datar* blow on the reverse side of the right palm area and another *datar* blow on the reverse side of the head while Kajalpreet gave the brick blow to the complainant side, while the group fight was going on, Shinder Pardhan is alleged to have given kick blow on Mandeep Singh and Ranjit Kaur daughter of the complainant, too, assaulted and by the petitioner.

Learned counsel for the petitioner *inter alia* contends that only simple injuries are attributed to the accused and it was a case of version and cross-version as DDR No.37 dated 16.04.2020 (Annexure P-2) has been got registered against the complainant side and it was only a dispute between two neighbours over a small thing.

The learned State counsel fairly concedes to the facts and submits that only simple injuries are attributed to each side in this group fight and has sought to oppose the bail on the grounds that the accused have taken the law in their hands. As per the own stand of the State, it is a case of version and cross-version where both the sides have received injuries which are simple in nature.

This Court is of the opinion that it would be a travesty of

justice to send the petitioner in custody in the present case and his joining the investigation would suffice the purpose. Accordingly, the petitioner is directed to appear before the Investigating Officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

01.06.2020

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No