

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-13854 of 2020
Date of decision:03.06.2020

Lovepreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. H.P.S.Sidhu, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to covid-19 pandemic.

Through the instant petition, the petitioner seeks anticipatory bail in DDR No.30 dated 08.08.2019 under Sections 323, 427 and 34 of Indian of Indian Penal Code, 1860 (for brevity "IPC") (Section 307 IPC was added later on) in FIR No.85 dated 02.07.2019 under Sections 307, 506, 148 and 149 IPC and Sections 25 and 27 of Arms Act, 1959 registered at P.S. Kot Ise Khan, District Moga.

Counsel for the petitioner has argued that there was a cross fight on 01.07.2019 and a FIR was registered on the statement of Amandeep Singh, who is cousin of the present petitioner. DDR in question (Annexure P-2) was lodged on the statement of Lovedeep Singh on 08.08.2019, after

more than one month. Counsel further submits that the sole allegation against the petitioner is that he hit Lovedeep Singh with an iron pipe on his left leg.

Notice of motion.

On asking of the Court, Mr. Amit Mehta, Sr.D.A.G. Punjab, who is available through video conferencing, accepts notice on behalf of respondent. Advance copy of the petition has already been served on the State.

State counsel has opposed the bail. On instructions from H.C. Narinderjit Singh, he has submitted that as per the MLR, injury inflicted on Lovedeep Singh is a minor injury.

I have considered the rival submissions. The petitioner is alleged to have caused injury to Lovedeep Singh, which is simple in nature. It is also noted that the DDR was lodged after more than one month of the alleged incident.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. The petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

It is clarified that any observation made herein above shall not be construed as an expression of opinion on the merits of the case. If the

petitioner does not join the investigation then it will be open to the State to
file an application to recall the order.

(SUVIR SEHGAL)
JUDGE

June 03, 2020
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No