

CRM-M-14027-2020 (O&M)

Date of decision: 05.06.2020

Charanjit Singh @ Raja

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Jasdeep Singh, 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. Sandeep Vermani, Addl.A.G., Punjab puts in appearance on behalf of the State on his own.

CRM-12289-2020

In view of the averments made in the application and in the interest of justice, the same stands allowed subject to all just exceptions.

CRM stands disposed off.

However, subsequently, the applicant/petitioner shall be under obligation to fulfill these obligations in due course.

CRM-M-14027-2020

Petitioner-Charanjit Singh @ Raja, who is accused, has

come up in this first anticipatory bail application under Section 438 Cr.P.C. in case bearing FIR No.82 dated 28.04.2020 under Sections 324/323/341/506/379/148/149 of the Indian Penal Code registered at Police Station Sadar Bathinda.

The brief allegations that have come up on the statement of complainant-Mandeep Singh are that his wife-Kirandeep Kaur had purchased 1 ½ acres of land from one, Sandeep Kumar, wherein the complainant claims that he had sown the wheat crop. It is during that on 28.04.2020, when he along with others, were present at his land, accused/petitioner-Charanjit Singh @ Raja, Manjit Singh, Avtar Singh and some unknown persons came and tried to harvest the wheat crop on the land leading to a quarrel, in which the attribution to the petitioner is that he has given fist blows on the person of the complainant which injuries are simple in nature.

Learned counsel for the petitioner *inter alia* contends that the co-accused of the petitioner who are similarly placed have been allowed anticipatory vide orders dated 02.06.2020 in a case bearing CRM-M No.13718 of 2020 and that the case of the petitioner is not distinguishable and claims parity.

The learned State counsel has strongly opposed the grant of bail on the grounds that the petitioner is specifically named in the FIR and the definite role has been assigned to him of giving fist blows to the complainant and therefore, not entitled to any relief.

Going through the submissions of the two sides, the

petitioner is attributed only a simple injury of fist blow. Admittedly, the parties are at loggerheads over the property in question regarding which civil suit is also pending. In light of these circumstances and the principle of parity impels this Court to allow the present petition.

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, she will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

05.06.2020

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No