

CRM-M-14493-2020 (O&M)

Date of decision: 09.06.2020

Gurpreet Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Amritpal Singh Sohal, 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.

Notice of motion to official respondent.

Mr. Sandeep Vermani, Addl.A.G., Punjab puts in appearance and accepts notice on behalf of the official respondents.

Office to supply the copy of paper book to him in due course.

The petitioner-Gurpreet Singh has sought first anticipatory bail in this case bearing FIR No.0137 dated 01.12.2019 under Sections 452, 323, 324, 427, 506, 148 and 149 of the Indian Penal Code registered at Police Station Mohkampura, District Amritsar.

The case has got registered on the statement of complainant-Manjit Singh.

The brief allegations are that while on 30.11.2019 around 09:30 PM, when the complainant along with his family members were present in the house, accused/petitioner-Gurpreet Singh @ Gopi, who happens to be their neighbour, along with his family members consisting of his father-Tarlok Singh and brother-Mandeep Singh @ Nikka Singh along with 2/3 persons started abusing the complainant side and at that time, the petitioner and his father were armed with swords while his brother was armed with baseball bat and other unidentified persons were armed with bricks brats who all caused scuffle leading to the registration of the present case.

The petitioner is attributed a blow of sword hitting on the left side of abdomen of the complainant, while other accused too, gave injuries which are opined to be simple in nature.

Learned counsel for the petitioner *inter alia* contends that it is a pure feud between the two neighbours and only simple injuries are attributed and similarly placed co-accused-Mandeep Singh has been allowed bail by this Court vide order dated 02.06.2020.

The learned State counsel has opposed the bail on the grounds of the fact that the accused have trespassed forcibly and illegally in the house of the complainant while along with the deadly weapons caused injuries and that the petitioner was earlier declared proclaimed offender on 29.02.2020.

Going through the submissions and on the principle of parity, only simple injuries are attributed to the petitioner and his co-accused.

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 investigations would suffice the purpose. Accordingly, the petitioner is directed to appear before the investigating officer/Magistrate 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.

09.06.2020

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No