

203

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14999-2020

Date of decision-18.08.2020

Lakhwinder Singh Panch @ Lakha Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karandeep Singh, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.160 dated 21.05.2020 under Sections 341, 323, 427, 148 and 149 of Indian Penal Code, 1860 (Sections 365 and 325 IPC added later on) registered at Police Station Sadar, Fazilka. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 12.06.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Petitioner-Lakhwinder Singh Panch @ Lakha Singh has filed the present petition inter alia with a prayer for grant of anticipatory bail in case FIR No.160 dated 21.05.2020 under Sections 341, 323, 427, 148 & 149 of

Indian Penal Code, registered at Police Station Sadar, Fazilka.

Learned counsel for the petitioner based on the pleadings in the petition, submits that in fact, in the FIR the only role attributed is that the petitioner gave two blows with his dang on the complainant which hit him on his left eye and wrist of the left arm. Learned counsel submits that no recovery was to be made from him. He further submits that it is just because of political pressure that the petitioner is Panchayat member of the village that he has been falsely implicated.

Notice of motion.

On asking of the Court, Ms. Rashmi Attri, AAG, Punjab, accepts notice on behalf of the State.

Without commenting upon merits of the case, in view of the peculiar facts and circumstances of the present case and considering the existing situation due to COVID-19, this Court deems it appropriate to direct the petitioner to join investigation and appear before the Investigating Officer.

List on 18.08.2020.

Meanwhile, the petitioner shall join investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer, subject to his depositing of Rs.25,000/- with the Investigating Officer within 15 days from today, which amount, the Investigating Officer may disburse to the complainant for medical expenses. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Bhajan Das does not dispute this fact that the petitioner has joined the investigation and he is

not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 12.06.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

18.08.2020

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No