

CRM-M-16592-2020

In virtual Court

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16592-2020 (O&M)
Date of decision: 01.09.2020

Satpal Singh @ Palli

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amandeep Saini, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.24 dated 07.04.2020 under Sections 323, 341, 353, 188, 34 IPC, registered at Police Station Kathgarh.

While granting interim bail to the petitioner, following order was passed by this Court on 26.06.2020: -

“...The allegations are that the complainant after finishing his duty was going to village Rattewal in private car and he was in uniform and at about 8:30 p.m. when he reached near choe, he saw three young men riding a motorcycle violating curfew imposed due to COVID-19. They were holding baseball bat and danda and asked him to stop his car. They chased the car, pulled him out of the car

holding collar and torn his shirt. The accused stated that complainant had killed their dog in village Bullewal.

Learned counsel for the petitioner submits that the police officials are trying to help the complainant ASI who was drunk at the time of incident. He submits that there is video recorded available with the petitioner even today. It is submitted that dispute arose as the complainant while driving in drunken condition hit the dog on the way and the dog died. He further submits that Section 353 IPC has wrongly invoked as admittedly the complainant was not on duty.

Learned State counsel opposes the anticipatory bail and states that till date the recording has not been provided to the police officials...”

Learned State counsel submits that though the petitioner has joined the investigation, however, it has come in the affidavit of SSP, SBS Nagar that the petitioner had intercepted the complainant, who is an ASI in Punjab Police and torn his uniform. It is further submitted that allegation of the petitioner that the complainant was in drunken position, was found to be false as per MLR attached with the affidavit.

Learned counsel for the petitioner submits that the petitioner is ready to pay a compensation of Rs.15,000/- to the complainant-victim on account of causing harassment and tearing his uniform, without prejudice to his right of defence.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 26.06.2020 is made absolute subject to

the conditions envisaged under Section 438 (2) Cr.P.C.

The petitioner will submit a demand draft of Rs.15,000/- favouring the complainant/victim, with the Illaqa Magistrate within a period of four weeks from today, which will be handed over to the complainant.

[ARVIND SINGH SANGWAN]
JUDGE

01.09.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No