

CRM-M-17031-2020(O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17031-2020(O&M)

Date of decision: 11.08.2020

Balwant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.N.S.Dandiwal, Advocate for the petitioner

Mr. V.G.Jauhar, Sr. DAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

On 30.06.2020, the following order was passed by this
Court:-

“Heard through video conferencing.

This is a petition filed under Section 438
of Code of Criminal Procedure, 1973 for grant of
anticipatory bail to the petitioner in case FIR No.18,
dated 17.02.2020 under Sections 354-B, 324, 323,
148, 149 of Indian Penal Code, 1860 registered at
Police Station Kot Ise Khan, District Moga, Punjab.
Section 326 of IPC, which was added later on, has
now been deleted.

It is contended by the learned counsel for

the petitioner that on the occasion of Sangrand, there was a minor scuffle between the residents of the locality over the serving of langar. He has further stated that the allegations against the petitioner are that he was empty handed and he raised a Lalkara. The only role attributed to the petitioner is that he had torn the shirt of the complainant. It is also contended that there are cross versions in the present case.

Notice of motion.

On the asking of the Court, Mr. Pawan Sharda, Sr. DAG, Punjab has joined the session through video conferencing and accepts notice. On instructions from ASI Gurjit Singh he has stated that Section 326 of IPC now stands deleted from the FIR. He has also stated that there are cross versions in the present case and that the only allegation against the petitioner is that he raised a Lalkara and tore the shirt of the complainant.

Meanwhile, the petitioner shall join the investigation and would come present as and when

called for. However, in the event of arrest, the petitioner shall be released on interim bail on his furnishing adequate bail and surety bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all terms and conditions as laid down under Section 438(2) of Code of Criminal Procedure, 1973.

Put up the matter on 11.08.2020.”

Learned State counsel on instructions from HC Narinderjit Singh has submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation.

In view of the above, the order dated 30.6.2020 is hereby made absolute.

Petition stands allowed.

11.08.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No