

203-a

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : August 04, 2020

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.....Petitioner

Versus

....Respondent

CRM-M-12289-2020

.....Petitioner

Versus

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr.Narinder S. Lucky, Advocate for the petitioner(s).

Ms. Bhavna Gupta, Asstt. DAG, Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This order shall dispose of two petitions i.e. CRM-M-12289-2020 and CRM-M-17073-2020.

Petitioners - Harpreet Singh @ Honey @ Ghadu (in CRM-M-12289-2020) and Karan @ Sahil (in CRM-M-17073-2020) pray for grant of anticipatory bail in FIR No. 35 dated 10.04.2020 under Sections 323, 354, 427, 452, 506, 188, 148, 149 IPC registered at Police Station Sadar Phagwara, District Kapurthala.

Contentions on behalf of the petitioner -Harpreet Singh @ Honey @ Ghadu as noted in order dated 13.05.2020 while issuing notice of motion, read as under: -

“ Learned counsel for the petitioner contends that the nature of injuries attributed to the petitioner, who otherwise has been falsely implicated, is admittedly simple in nature. No offence punishable under Section 354 IPC is made out against the petitioner. The petitioner’s mother also

suffered injuries. No action is being taken by the police authorities in this respect. It is further submitted that the petitioner was earlier also involved in a false case on the statement of the real uncle of the complainant, in which the petitioner is on bail. In FIR No. 102 of 2014, the petitioner has been acquitted and he was falsely implicated in FIR No.109 of 2014, due to political rivalry in the village itself. FIR No. 112 of 2019 was registered during the bye-election being held. It is further contended that the petitioner is unnecessarily being roped in.”

In respect to the petitioner – Karan @ Sahil, it is contended that no specific role has been attributed to the said petitioner.

The petitioners, it is submitted, have joined investigation and undertake to extend full cooperation in the investigation of the matter. It is, thus, prayed that these petitions be allowed.

Learned counsel for the petitioners brings to my notice that offence punishable under Section 201 IPC has been added subsequent to the filing of these petitions. On oral request of learned counsel for the petitioners, offence punishable under Section 201 IPC is directed to be added in the head note and the prayer clause of the petition. Necessary addition be carried out by the Registry of this Court.

Learned counsel for the State, on instructions from ASI Gurmukh Singh, verifies that the petitioners have joined investigation and that custodial interrogation of the petitioners is not required.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts, if afforded anticipatory bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to

allow these petitions. Consequently, order dated 13.05.2020 (in CRM-M-12289-2020) and 02.07.2020 (in CRM-M-17073-2020) are made absolute.

August 04, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No