

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17248 of 2020(O&M)

Date of Decision: 10.08.2020

Kishan Singh @ Kishu

..... Petitioner

Versus

State of Punjab

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Prateek Pandit, Advocate
for the petitioner(s).

Mr. Harmandeep Singh , DAG., Punjab.

LISA GILL, J (Oral).

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

Petitioner seeks the concession of anticipatory bail in FIR No.56 dated 28.05.2020, under Sections 323, 325, 326, 34 IPC, registered at Police Station Subhanur, District Kapurthala.

Contentions on behalf of learned counsel for the petitioner as noted while issuing notice of motion on 02.07.2020, are reproduced as hereunder:-

“Learned counsel for the petitioner contends that the petitioner has been attributed a blow from the reverse side of a Datar on the right elbow of the complainant and the said injury does not attract the rigours of section 326 IPC. Moreover, there is an unexplained delay of about 6 days in lodging of the FIR. It is further submitted that present is a case of cross-version as the petitioner also suffered injuries at the hand of the complainant side.”

The petitioner, it is submitted has joined investigation and he undertakes to fully cooperate with the investigating agency and not abuse the concession of anticipatory bail, if afforded to him. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Lakhwinder Singh, verifies that the petitioner has joined investigation and his custodial interrogation is not required. It is further verified that the petitioner is not involved in any other criminal case.

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

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 02.07.2020, is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

10.08.2020
s.khan

[LISA GILL]
Judge

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