

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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IN VIRTUAL COURT

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**CRM-M No. 17397 of 2020
Date of decision : 3.7.2020**

Lakhwinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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

Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 156 dated 27.5.2019, registered under Sections 353, 186, 427, 506, 148 and 149 IPC and Section 3(2) of the Prevention of Damage to Public Property Act, 1984 (Sections 323, 324, 452 and 120B IPC added later on), at Police Station Model Town, District Hoshiarpur.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. In fact, the present case has been created against the petitioner as a measure of pressure tactics because the uncle of the petitioner had already lodged an FIR against the side of the complainant of the present FIR; for having caused injuries to him. Subsequently, the present FIR has been concocted. Still further, it is submitted that there is no specific allegations against the petitioner nor any specific injury is attributed. Not only this, the injuries alleged to have been caused to the complainant are simple in nature. It is also submitted by the counsel that earlier the Court below had granted him interim protection; and at that time, the petitioner had joined the investigation also. The petitioner is ready to join the investigation again.

Notice of motion.

Mr. Gaurav Garg Dhuriwala, Senior DAG, Punjab, accepts notice on behalf of the State and Mr. Arnav Sood, Advocate, appears and accepts notice on behalf of the complainant.

The counsel for the State, on instructions from ASI Nanak Singh, submits that the name of the petitioner has specifically surfaced in the case. There are specific allegations that the petitioner and his co-accused damaged the property of the hospital. The same assertions are highlighted by even the counsel for the complainant. As a result, it is submitted that the petitioner does not deserve any concession of bail. However, it is not disputed that the uncle of the petitioner had got registered FIR against the side of the complainant of the present case. It is also not disputed that the injuries; allegedly inflicted upon the complainant; are simple in nature.

In view of the above, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

3.7.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No