

S.No.117

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

CRM-M-18089 of 2020 (O&M)

Date of Decision:09.07.2020

Bikramjit BawaPetitioner

Vs.

State of PunjabRespondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Munish Garg, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.0082 dated 22.05.2020 registered under Sections 323, 324 IPC (Section 326 IPC added later on) at Police Station Barnala, (P.S. Sadar Barnala) District Barnala.

Learned counsel for the petitioner submits that the case against the petitioner is totally concocted. The petitioner has not committed any crime as alleged against him. Even as per the case of the prosecution, the dispute is between the neighbours, over a turn of irrigation water for their agricultural fields. In that sudden fight, it is only the father of the petitioner, who is alleged to have caused injury. The petitioner is alleged to have raised only a lalkara. There is no other case against the petitioner.

Notice of motion.

Mr. Randhir Singh Thind, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from SI Lakhwinder Singh, submits that the petitioner has positively participated in the crime.

He is specifically named in the FIR. However, it is not disputed that no injury is attributed to the petitioner and that there is no other case against him.

In view of the above submissions, however, without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that 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.

July 09, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No