

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.210

CRM-M-18325-2020

Date of decision: 21.12.2020

Ashok Kumar Gupta

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kunal Vinayak, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.117 dated 03.08.2019 registered under Sections 353, 186, 160 and 427 IPC at Police Station Division A, Amritsar.

Briefly stated, the case of the prosecution is that the petitioner alongwith his son and another co-accused barged into a police station and beat up Narinder Sethi, Ajay Seth, Pardeep Seth and Ashish Babbar; grappled with two policemen and damaged the furniture in the police station.

Learned counsel for the petitioner contends that the petitioner who is a senior citizen, has been falsely implicated in the case; Narinder Sethi, Ajay Seth, Pardeep Seth and Ashish Babbar alongwith other persons had trespassed into the petitioner's house and given him beatings; when the petitioner, alongwith his son and other persons, went to the police station to lodge a complaint he found the aforesaid persons already there; on seeing the petitioner the aforesaid persons started a quarrel; no recovery is to be made from the petitioner; neither there is any medical evidence to show any injury upon any police official nor is there any evidence with regard to the breaking of any furniture in the police station; co-accused Shiv Kumar @

Sunny, who is the petitioner's son had earlier approached this Court through CRM-M-39311-2019 – Shiv Kumar @ Sunny vs. State of Punjab has been granted anticipatory bail by this Court on 19.02.2020 and that under the interim orders passed by this Court the petitioner has not only joined the investigation he has also fully cooperated with the investigating agency.

Learned State counsel submits that under the interim orders passed by this Court the petitioner has not only joined the investigation he has also fully co-operated with the investigating agency and that his custodial interrogation is not required by the State.

Keeping in view the totality of the above noticed facts especially the statement made by the learned State counsel that the petitioner has joined the investigation and his custodial interrogation is not required, the order of this Court dated 10.07.2020 granting ad-interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

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(DEEPAK SIBAL)
JUDGE

December 21, 2020

Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No