

S.No.102

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

CRM-M-18279 of 2020 (O&M)

Date of Decision:14.07.2020

Gurjant SinghPetitioner

Vs.

State of PunjabRespondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. L.S. Sidhu, 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.102 dated 27.05.2020 registered under Sections 308, 341, 323, 148, 149 IPC at Police Station Bhikhi, District Mansa.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Although the petitioner has been attributed blow to the complainant on the backside of his head with a kahi, however, the medical opinion qua the alleged injury has also specified the same to be only a simple injury. Otherwise also, the complainant side had earlier caused injury to the son of the petitioner. On that account, the petitioner had already lodged a complaint with the Police. The present FIR has been created just as a pressure tactics.

Notice of motion.

Mr. Sidakmeet Sandhu, AAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from ASI Gurtej Singh, submits that there is specific injury attributed to the petitioner. However, it is not disputed that the said injury has been opined to be simple in nature. It is also not disputed that on account of having caused injuries to the son of the petitioner, the complainant side is already facing a complaint.

In view of the above submissions, but 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 14, 2020
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(RAJBIR SEHRAWAT)
JUDGE

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