

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

201

CRM-M-19198-2020

Decided on : 31.08.2020

Gurcharan Singh @ Channi and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. A.S. Khosa, Advocate for the petitioners.

Mr. Bhupinder Beniwal, AAG, Punjab.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present petition filed under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No.81 dated 24.06.2020 under Sections 353, 186, 332, 427, 341, 379, 148, 149 IPC registered at Police Station Arniwala, District Fazilka.

On 17.07.2020, the following order was passed:-

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

It is, inter alia, contended that the petitioners have been falsely implicated in this matter due to factionalism. The petitioners and the complainant belong to the same village. The incident is alleged to have taken place at 9.30 p.m. on 23.06.2020 and the FIR registered after an unexplained delay on the next day at 7.30 p.m. Moreover, the petitioners, it is submitted, are not attributed with any specific injury. The complainant received three simple injuries, which itself falsifies the version put forth in the FIR. The petitioners, it is stated, are not involved in any other criminal case.

Notice of motion.

Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of respondent-State. Advance copy of the paper book already stands supplied.

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Learned counsel for the State prays for some time to seek complete instructions though it is verified on instructions of ASI Rajwinder Singh that the petitioners not involved in any other criminal case.

On request of learned counsel for the State, adjourned to 24.08.2020.

In the meanwhile, petitioners shall join investigation as and when required by the Investigating Officer. In the event of their arrest, the petitioners shall be released on bail to the satisfaction of Investigating Officer. Petitioners shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

In pursuance of the order dated 24.08.2020, photocopy of the *Panchayati Razinama* has been placed on record.

Counsel for the State, on instructions received from ASI Rajwinder Singh, has submitted that the petitioners have joined investigation and are not required for further interrogation. It is further pointed out that the petitioners have clean antecedents as there is no other FIR against them.

Accordingly, in view of the above the present petition is allowed and the order dated 17.07.2020 is confirmed.

AUGUST 31, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No