

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

CRM-M-20273-2020 (O&M)

Date of Decision: 14.09.2020

Rohit Bedi & others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. H.S. Brar, Advocate for the petitioners.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.153, dated 09.06.2020, under Sections 323/324/451/148/149 IPC (Section 379-B IPC added later on vide DDR No.17 dated 26.06.2020), registered at Police Station Division No.8, District Jalandhar.

While issuing notice of motion, the following order was passed by this Court on 24.07.2020:

“Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioners seek concession of anticipatory bail in case FIR No.153, dated 09.06.2020, under Sections 323/324/451/148/149 IPC (Section 379-B IPC added later on vide DDR No.17 dated 26.06.2020), registered at Police Station Division No.8, District Jalandhar.

Counsel submits that FIR came to be registered on the statement of Abhi Kalra in relation to an alleged occurrence that took place on 08.06.2020. Even as per contents of FIR, an altercation had taken place between petitioner No.3 and the complainant and in which the complainant as also his friend, namely, Dewan Khosla suffered simple injuries.

It is argued that petitioners No.1 and 2 herein were not even named in the FIR nor any overt act has been attributed to them. All the offences recorded in the FIR are bailable. It is after 18 days of the alleged occurrence that Dewan Khosla has made a statement on 26.06.2020 raising allegations of snatching and on account of which the offence under Section 379-B IPC has been added. Counsel urges that it is a clear case of false implication.

Notice of motion, returnable for 14.09.2020.

In the meanwhile, petitioners are directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Kirpal Singh informs the Court that the the petitioners have since joined investigation and are not required for any custodial interrogation.

In view of the above, petition is allowed.

Order dated 24.07.2020 passed by this Court is made absolute.

14.09.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |