

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

CRM-M-19899-2020 (O&M)

Date of decision : 01.09.2020

Harpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.10 dated 25.01.2020 registered under Sections 323, 324, 326, 427, 34 of the Indian Penal Code, 1860 at Police Station Lopoke, District Amritsar Rural.

On 22.07.2020, the following order was passed:-

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

It is submitted that the petitioner has wrongly been denied the concession of anticipatory bail by the learned Additional District Judge (Fast Track Court), Amritsar on an incorrect premise, that the petitioner is attributed with an injury to the complainant with a Datar. It is submitted that the petitioner is, in fact, not attributed with any injury at all

in the FIR. Co-accused Jaspal Singh to whom the said injury has been attributed is stated to have been released on regular bail. Similarly situated co-accused, namely, Karanbir Singh and Balrajbir Singh have been afforded the concession of anticipatory bail. Moreover, there is a delay of 27 days in lodging of the FIR.

Notice of motion.

Ms. Monika Jalota, DAG, Punjab accepts notice on behalf of respondent-State. Advance copy of the petition stands served upon the State.

At request, adjourned to 01.09.2020.

In the meanwhile, petitioner shall join investigation as and when required by the investigating agency and fully cooperate in the investigation of this case. In the event of his arrest, the petitioner shall be released on interim bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Learned counsel for the State, on instructions from ASI Nishan Singh, has submitted that the petitioner has joined investigation, cooperated and is not required for further custodial interrogation, at this stage.

In view thereof, the order dated 22.07.2020 is made absolute.

Accordingly, the present petition is allowed.

01.09.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No