

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

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IN VIRTUAL COURT

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**CRM-M No. 20498 of 2020
Date of decision : 30.7.2020**

Sharafat Ali and another **.....Petitioners**
Vs.

State of Punjab **.....Respondent**

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. T.S. Grewal, Advocate, for the petitioners

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioners under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No. 269 dated 27.7.2019, registered under Sections 323, 324, 506, 148 and 149 IPC (Section 307 IPC added later on), at Police Station Phillaur, District Jalandhar Rural.

It is contended by the counsel for the petitioners that the case against the petitioners was registered on the basis of misunderstanding. Therefore, even the complainant has amicably settled the dispute with the petitioners and their co-accused. Otherwise also, the injury attributed to petitioner No.1 is *datar* blow on the left ear, and there is no injury attributed to petitioner No.2. There is no other case against the petitioners. Hence, the petitioners deserve to be protected against their arrest.

Notice of motion.

Mr. Luvinder Sofat, AAG, Punjab, accepts notice on behalf of the State and Mr. Deepak Sethi, Advocate, has put in appearance and accept notice on behalf of the complainant.

It is contended by the counsel for the State, being instructed by ASI Gurmail Singh, that the petitioners have specifically been named in the FIR. Petitioner No.1 has been attributed the grievous injury. The investigation is at the initial stage. Hence, the petitioners does not deserve any concession of anticipatory bail.

The counsel for the complainant has submitted that the matter has amicably been settled between the parties; and that he does not have any objection; if the petitioners are protected against their arrest.

In view of the above, the present petition is allowed. In the event of arrest, the petitioners shall be released on bail subject to their furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.

(RAJBIR SEHRAWAT)
JUDGE

30.7.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No