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

CRM-M No. 21673 of 2020
Date of Decision: 04.09.2020

Gurpreet Singh

-Petitioner

Versus

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. K.S. Brar, Advocate,
for the petitioner.

Mr. R.P. Singh, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.70 dated 07.04.2020 registered under Sections 326, 324, 323, 341, 506, 34 IPC at Police Station Lambi, District Sri Muktsar Sahib.

Learned counsel for the petitioner contended that initially FIR was registered for the offences under Sections 324, 323, 341, 506, 34 IPC. Vide G.D. No.27 dated 07.04.2020, cross-version was also recorded under Sections 324, 323, 506, 34 IPC. In the FIR, offence under Section 326 IPC was added

vide DDR No.11 after a delay of 25 days. On account of injuries suffered by the petitioner, he remained hospitalized for a substantial period.

According to learned counsel for the petitioner, he remained in ICU for 12 days on account of stab injury with kirpan blow in his stomach, for which he was operated.

Factum of cross case has been verified by learned State counsel on instructions from ASI Balraj Singh. He, however, submitted that the nature of injury could not be opined by the Medical Board as yet on account of pandemic COVID-19.

It is a case of version and cross-version. Both the parties have received injuries.

Arrest of the petitioner was stayed vide order dated 05.08.2020.

In view of above, the petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 08.09.2020 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing adequate bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;

ii)that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

iii)that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

September 04, 2020

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No