

S.No.105

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

CRM-M-22046 of 2020 (O&M)

Date of Decision:07.08.2020

Harpal Singh @ Labha

.....Petitioner

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Jagdish Singh Mahal, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.0116 dated 17.06.2020 registered under Sections 452, 326, 324, 323, 506, 148, 149 IPC at Police Station Majitha, District Amritsar Rural.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. The falsity of the case is reflected from the very fact that there has been delay of 14 days in lodging the FIR. Still further, it is submitted that even as per the case of the prosecution, the injury attributed to the petitioner is on a non-vital part of the complainant. There is no other case against the petitioner. The petitioner will join the investigation.

Notice of motion.

Mr. Hitten Nehra, Addl. AG, Punjab, accepts notice on behalf of the State.

Learned State Counsel submits that the name of the petitioner

has been specifically mentioned in the FIR. The injury attributed to the petitioner is grievous one. However, it is not disputed that the injury attributed to the petitioner is on a non-vital part of the body of the complainant and that there is no other case against the petitioner. It is also not disputed that there has been a delay of 14 days in lodging the FIR.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioner 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.

August 07, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No