

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-22225 of 2020 (O&M)
Date of decision : August 10, 2020

Kuljit Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Sunil Agnihotri, Advocate, for the petitioner

Mr. Amit Mehta, Sr. DAG Punjab for the State

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Notice of motion.

Mr. Amit Mehta, Sr. DAG Punjab accepts notice and puts in appearance on behalf of the State.

Petitioner Kuljit Singh who is accused in case FIR No. 7 dated 27.1.2020, under Sections 332, 353, 186, 506, 34 IPC, Police Station Mukerian, District Hoshiarpur has come up in this first anticipatory bail application under Section 438 Cr.P.C.

The present case was got registered by complainant Surinder Kumar, Veterinary Doctor in Civil Animal Hospital, Naushehra Pattan. It is alleged that on 24.1.2020, he received a call while he was in his hospital from one Manjit Singh who threatened to teach complainant a lesson for giving wrong treatment to the cow of the accused side. In consequence of this threat, it is alleged that the petitioner along with one of his companion entered the office of the complainant and assaulted him.

Learned counsel for the petitioner inter-alia contends that only simple injuries are alleged to have been attributed to the petitioner and similarly placed co-accused have been allowed bail by the lower court and nothing is to be recovered.

Learned State counsel though does not displace the facts but has opposed the grant of bail on the grounds that the accused is responsible for assaulting a public Officer on duty and therefore, his custodial interrogation is essential.

Apparently it is a skirmish between a patient over treatment of his animal whereby only simple injuries are attributed to the petitioner. His joining the investigations would suffice the purpose. It is a fit case for grant of bail.

In view of the aforesaid, the present petition is allowed.

In the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, the petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court. Presently, the petitioner is directed to join investigation within 15 days of the receipt of the copy of order.

The present petition stands disposed of.

August 10, 2020
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No