

CRM-M-23122-2020

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

CRM-M-23122-2020

Date of decision:17.12.2020

Anuj Kumar Varun

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Kanika Ahuja, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case FIR No.23 dated 26.06.2020, registered at Police Station GRP Patiala, Punjab, under Sections 306, 323 and 34 IPC.

This Court, on 18.08.2020, passed the following order:

“Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case FIR No.23 dated 26.06.2020, registered at Police Station GRP Patiala, Punjab, under Sections 306, 323 and 34 IPC.

As per the allegations, deceased-Parmod, husband of the complainant, was picked-up by the petitioner and other co-accused and was inflicted injuries.

Learned senior counsel for the petitioner contends that Parmod (now deceased), husband of the complainant, was medico-legally examined on 24.06.2020. As per the MLR, injuries on the body of the deceased were found to have been caused within 24 hours and the history of assault, as given by the deceased himself, was stated to be of 23.06.2020. He further submits that the petitioner has falsely been implicated in the present case and he did not cause any injury to the deceased. Rather, in his statement (Annexure P-3), the husband of complainant himself stated that injuries had been

CRM-M-23122-2020

caused to him by the officials of R.P.F. Post Jalandhar, who had allegedly tried to extract a statement from the deceased against the petitioner. The instigation to the deceased to commit suicide, if any, had come only from the police at Jalandhar and not from the petitioner. He further submits that similarly situated co-accused, Sohan Lal, has been granted the benefit of anticipatory bail by a Coordinate Bench vide order dated 07.08.2020 (Annexure P-5) passed in CRM-M-22072-2020.

Notice of motion.

On the asking of this Court, Mr. N.K. Banka, DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 17.12.2020.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438(2) of the Code of Criminal Procedure.”

Learned counsel for the petitioner submits that pursuant to the order dated 18.08.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Gurdarshan Singh, submits that the petitioner has joined the investigation and is now not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 18.08.2020 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

17.12.2020
ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No