

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

CRM-M-23841-2020

Date of decision:17.11.2020

Jaspreet Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Avtar Singh Bhatti, Advocate for the petitioner.

Mr. S.S. Cheema, AAG, 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 bearing FIR No.52 dated 17.04.2020 registered under Sections 307, 326,325,324,341,148,149,120-B IPC (Section 323 added later on) at Police Station Sadar Hoshiarpur, District Hoshiarpur.

On 21.08.2020, this Court passed the following order:-

“Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No.52 dated 17.04.2020, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur, under Sections 307, 326, 325, 324, 341, 148, 149, 120-B and 323 (added later on) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has not been named in the above-noted FIR, but the prosecution agency has connected the petitioner with the name of accused-Honey @ Machshi. In fact, the petitioner is not known with the aforesaid name as alleged in the FIR. He further contends that injury with datar blow on the upper side of right arm on the person of injured, allegedly attributed to the petitioner, has been declared as simple in nature. He

further states that co-accused, namely, Mani, Krishan Singh @ Bunty and Sadeek @ Sadiq, have already been granted the benefit of pre-arrest bail, vide orders dated 13.08.2020 passed by this Court, respectively.

Notice of motion.

On the asking of this Court, Mr. Harpreet Singh Multani, AAG, Punjab, accepts notice on behalf of the respondent-State, and does not dispute the facts that the injury attributed to the petitioner has been declared as simple in nature, and co-accused have already been granted the benefit of anticipatory bail.

Adjourned to 17.11.2020.

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 21.08.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Rashvinder Pal Singh, submits that the petitioner has joined the investigation and the recovery has been effected. He is 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 21.08.2020 passed by this Court granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

17.11.2020

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(HARNARESH SINGH GILL)
JUDGE

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