

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

CRM-M-23566-2020

Date of decision : 30.10.2020

Lovepreet Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. J.S.Jaidka, Advocate, for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.139 dated 03.05.2020 under Sections 307, 324, 326, 506, 34 of the Indian Penal Code, 1860 and Section 25 of Arms Act, 1959 at Police Station Sadar Amritsar, District Amritsar.

On 28.08.2020, the following order was passed:-

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. 139 dated 03.05.2020 registered under Sections 307, 324, 326, 506, 34 IPC and Section 25 of Arms Act, at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and the co-accused Ravi, who is allegedly to have inflicted injury on the person of injured Jaimal Singh, has already been granted anticipatory bail by a Coordinate Bench of this Court, vide order dated 30.06.2020.

Notice of motion.

On the asking of this Court, Mr. H.S. Sitta, AAG Punjab, accepts notice on behalf of the respondent-State. On the instructions of ASI Raj Kumar, he submits that though the petitioner has not been named in the present FIR, yet head injury

with the base ball bat, which is a blunt weapon, has been attributed to the petitioner.

Since, the injury attributed to the petitioner is with the blunt weapon and the co-accused Ravi is already on interim bail, I am of the opinion that the petitioner deserve the concession of ad-interim anticipatory bail.

Adjourned to 30.10.2020.

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 states that the petitioner has joined investigation and has fully cooperated with the Investigating Officer.

Learned counsel for the State, on instructions from ASI-Raj Kumar, has stated that the petitioner has since joined investigation on 20.10.2020 and he is no longer required for further investigation as of now.

In view of the above, the order dated 28.08.2020 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

Disposed off accordingly.

October 30, 2020

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NOTE:

(ALKA SARIN)
JUDGE

Whether speaking/non-speaking: Yes/No

Whether reportable: Yes/No