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

**CRM-M-23607-2020
Date of Decision: 10.12.2020**

RITESH KUMAR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Rishabh Gupta, Advocate
for the petitioner.

Mr. M.S. Narang, DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.91 dated 26.06.2020 registered under Sections 323, 324, 506, 427, 34 & 379 IPC at Police Station Haryana, District Hoshiarpur.

On 20.08.2020, following order was passed the Co-ordinate Bench:-

“Petitioner-Ritesh Kumar, stated to be aged 24

years, has filed the present petition under Section 438 Cr. P.C. inter alia praying for grant of anticipatory bail in case FIR No.91 dated 26.06.2020, under Sections 323, 324, 506, 427, 34 & 379B IPC, registered at Police Station Haryana, Hoshiarpur.

At the outset, learned counsel for the petitioner submits that infact, the complainant party is influential. By making reference to paras 4 and 5 of the petition, learned counsel inter alia submits that in the present incident, the petitioner had actually received six injuries from the complainant and his brother-in-law. As per MLR report (copy of which is appended as Anneuxre P-3), only one injury is grievous in nature and 2 to 6 were simple in nature. However, the complainant party has got registered an FIR after the delay of 13 days.

Notice of motion.

On the asking, Mr. Amit Mehta, Sr. DAG, Punjab, accepts notice on behalf of State through video conferencing. Learned State counsel is not disputing the factual position, however, opposes the bail on merit.

Counsel for the petitioner submits that the petitioner is ready to join the investigation. He submits that because of COVID situation also, retention of the petitioner behind the bars would be dangerous to his life.

Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioner to join the

investigation and appear before the Investigating Officer.

List on 10.12.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) CrPC. In addition to the bail bonds/surety bonds, the petitioner is directed to deposit Rs.20,000/- to the Investigating Officer, which the Investigating Officer may give to the complainant/injured person towards medical expenses.

*(GIRISH AGNIHOTRI)
JUDGE”*

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the investigation and has also handed over an amount of Rs.20,000/- to the Investigation Officer.

Learned State counsel on instructions from SI Ajit Singh admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 20.08.2020 is made absolute. Petitioner shall keep on

joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

December 10, 2020	(RAJ MOHAN SINGH)
sangeeta	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No