

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-24366 of 2020

Date of Decision: September 16, 2020

Akash Joshi and another

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. S.K. Choudhary, Advocate
for the petitioners

Mr. Harsimar S. Sitta, AAG Punjab

Mr. R.S. Manhas, Advocate
for the complainant**Sudhir Mittal, J. (Oral)**

The present petition has been filed for grant of anticipatory bail to the petitioners in case FIR No. 146 dated 30.06.2020, registered under Sections 452, 323, 148, 149 IPC (Sections 308 and 325 IPC added later on) at Police Station Sujanpur, District Pathankot.

Learned State counsel on instructions from SI Inderjit Singh submits that pursuant to order dated 26.08.2020, the petitioners have joined the investigation and are cooperating therewith.

Learned counsel for the complainant, however, objects to confirmation of the interim order dated 26.08.2020 on the ground that the petitioners had inflicted head injury upon Om Parkash as well as an injury on the left lower leg of the complainant, who is handicapped lady.

In response, learned counsel for the petitioner refers to the FIR to submit that the petitioners allegedly caused injury on the head of Ranjana daughter

of Om Parkash and near the left eye of Mukesh Kumar son of Om Parkash but the said injuries have been found to be simple in nature. The petitioners have not attributed any injury upon Om Parkash and, thus, it is evident that the story put forth in the FIR is not completely true.

In view of the fact that the petitioners have joined investigation and are cooperating therewith coupled with the fact that the case put forth in the FIR may not be completely true, I deem it appropriate to confirm the order of interim bail.

Accordingly, the petition is allowed and the interim bail granted vide order dated 26.08.2020, is hereby made absolute subject to compliance of conditions enshrined under Section 438(2) Cr.P.C. by the petitioners.

September 16, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No