

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

205

**CRM-M-24957-2020
Date of decision: 25.11.2020**

RANJIT SINGH @ MANGU SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Maninder Singh Bajwa, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

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

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.0164 dated 27.06.2020 registered at Police Station Sadar Patti, District Tarn Taran under Sections 336, 325, 452, 148 and 149 of the Indian Penal Code, 1860 (for short, "the IPC") and Sections 25 and 27 of the Arms Act, 1959 to which Sections 326 and 427 of the IPC were added lateron.

Vide order dated 01.10.2020, this Court had granted interim anticipatory bail to the petitioner with direction to join the investigation.

The petition has been opposed by the learned State Counsel in terms of reply filed by way of affidavit of Kuljinder Singh, PPS, Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. The occurrence allegedly took place on 23.06.2020 but FIR was lodged with undue and unreasonable delay on 27.06.2020. Injured Paramjit Singh is alleged to have been medico legally examined on 24.06.2020 but injured Onkar Singh was allegedly examined on 07.07.2020. There is no explanation for delay in his examination. Section 326 of the IPC has been added in respect of grievous injury allegedly caused to Onkar Singh with sharp edged weapon attributed to the petitioner. In compliance with order dated 01.10.2020, the petitioner has joined the investigation.

Learned State counsel has vehemently opposed the petition and submitted that in view of gravity of accusation, the petitioner does not deserve grant of anticipatory bail and the petition may be dismissed.

However, learned State counsel has, on instructions from ASI Gurdayal Singh, acknowledged that in compliance with order dated 01.10.2020 passed by this Court the petitioner has joined the investigation and submitted that his custodial interrogation is not required in the case.

In view of the facts and circumstances of the case, nature of accusation against the petitioner, the fact that custodial interrogation of the petitioner is not required in the case and there is no material to justify the apprehension of the petitioner fleeing from justice or tempering with evidence or criminally intimidating the prosecution

witnesses but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the grant of anticipatory bail.

In view of the above, the petition is allowed and order dated 01.10.2020 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation again if and as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to him.

25.11.2020

Vishal

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No