

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

CRM-M-24887 of 2020

Date of Decision : August 28, 2020

Gurmit Singh

..... PETITIONER(S)

VERSUS

State of Punjab

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. D.P.S. Randhawa, Advocate, for the petitioner.
Mr. Amar Ashok Pathak, Additional Advocate General,
Punjab.

...

Sanjay Kumar, J.

The petitioner is one of the accused in FIR No. 41 dated 19.05.2020 on the file of Police Station Rangar Nangal, District Gurdaspur, registered under Sections 427, 148 and 149 IPC and Section 25 of the Arms Act, 1959 (Sections 326, 323 and 324 IPC added later on). By way of this petition, he seeks anticipatory bail under Section 438 Cr.P.C.

The co-accused of the petitioner, Rashpal Singh @ Palli, was granted anticipatory bail by this Court vide order dated 13.08.2020 passed in CRM-M-22463-2020. Perusal of the said order reflects that the police seems to have favoured one group at the cost of the other. There was a scuffle between two groups on 18.05.2020 and members of both the groups

sustained injuries. However the subject F.I.R. was registered on the very next day but the complaint lodged by the other group did not evoke any response. It was only after a writ petition was filed before this Court that DDR No.34 dated 28.07.2020 was registered against the other group under various provisions of the Indian Penal Code. Taking this factor into account, this Court opined that the apparent bias on the part of the police did not inspire confidence and that it was not a fit case to permit custodial interrogation. The petitioner, being identically situated, would be entitled to the same relief.

The petition is accordingly allowed. The petitioner is directed to forthwith join investigation in FIR No. 41 dated 19.05.2020 on the file of Police Station Rangar Nangal, District Gurdaspur. In the event of his arrest in connection with the said case, he shall be released on bail upon his furnishing a personal bond for a sum of ₹20,000/- along with two sureties for a like sum each to the satisfaction of the Arresting/Investigating Officer. He shall also abide by the conditions stipulated in Section 438(2) Cr.P.C.

August 28, 2020
Kang

(Sanjay Kumar)
Judge

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