

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25167-2020 (O&M)

Date of decision: 01.09.2020

Kala Singh Brar @ Kala Brar

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. N.S. Sidhu, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.105 dated 08.07.2020 under Sections 307, 341, 506, 427, 148, 149 IPC, registered at Police Station Dialpura, District Bathinda.

Learned counsel for the petitioner, at the very outset, submits that the matter has been compromised with the complainant, who has sworn an affidavit (Annexure P-3).

Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, DAG, Punjab accepts notice on behalf of the respondent-State and submits that as per allegations in the FIR, the complainant has suffered three fractures on his forearm as well as right tibia and surgery/planting was done and he remained hospitalized for 05 days.

Mr. T.S. Hundal, Advocate has appeared on behalf of respondents No.2 to 5 and has acknowledged the compromise and submits that Vijay

Kumar, Narinder Sharma and Sachin Kumar are siblings and they have stated that petitioner Kala Singh Brar @ Kala Brar is not the same person, who has caused injuries.

In view of the above, this petition is allowed and the petitioner is granted anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It will be open for the Investigating Officer to issue a notice in writing to the petitioner to join him in the investigation.

It is made clear that if the petitioner failed to join the investigation, it will be open for the prosecution to apply for cancellation of bail.

[ARVIND SINGH SANGWAN]
JUDGE

01.09.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No