

AT CHANDIGARH

CRM-M-25422-2020(O&M)

Date of decision: 17.09.2020

Pushpinder Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Gaurav Kalsi, Advocate for
Mr.H.S.Batth, Advocate for the petitioner
Mr. V.G.Jauhar, Sr. DAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

On 1.9.2020, this Court passed the following order:-

“The petitioner prays for pre-arrest bail in a criminal case arising from FIR No.127 dated 29.06.2020 registered under Sections 323, 324, 326, 506, 148, 149 of the Indian Penal Code, 1860 at Police Station Bhikhiwind, District Tarn Taran.

As per case of the prosecution, the alleged occurrence took place on 03.06.2020 at 7/7:30 PM and the petitioner is alleged to have given injury to the first informant on his head with gandasi-a sharp edged weapon.

Learned counsel for the petitioner contends that there is an unexplained delay of 26 days in lodging the FIR. He further submits that in fact, there was scuffle between Gurmukh Singh, his son on the one side and the first informant on other side on 03.06.2020. In support thereof, he refers to the Medico Legal Reports Annexures P-3, P-4 and P-5. He further submits that the petitioner has been falsely involved in the case because his wife had purchased the land from the first informant and there is some dispute with regard to payment of the sale consideration.

Notice of motion.

Mr. Dhruv Dyal, Sr. DAG, Punjab accepts notice on behalf of State of Punjab and seeks time to get

instructions.

Adjourned to 17.09.2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Lakhwinder Singh, has submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation at this stage.

In view of the above, the order dated 1.9.2020, is hereby made absolute.

The petition stands allowed.

17.09.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No