

S.No.106

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

CRM-M-25626 of 2020 (O&M)

Date of Decision:02.09.2020

Rajinder Singh @ Raja

.....Petitioner

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Divjyot S. Sandhu, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.76 dated 02.06.2020 registered under Sections 323, 324, 148, 149 IPC and (Section 326 IPC added subsequently) at Police Station Maqsudan, District Jalandhar.

It is contended by counsel for the petitioner that initially the case was registered only under Sections 323, 324, 148 and 149 IPC. However, subsequently, Section 326 IPC was also added on account of injury on the little finger of the complainant. Still further, it is submitted that the dispute has arisen only on account of party faction in the village. Still further, it is submitted that even as per the allegations of the prosecution, the petitioner was not having any defined weapon as such. There is no other case against the petitioner. The petitioner shall join the investigation. He deserves to be protected against his arrest.

Notice of motion.

Mr. A.P.S. Gill, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from SI Narinder Ralh, has submitted that there are specific allegations against the petitioner. He has caused grievous injury on the little finger of the complainant with datar held by him. However, it is not disputed that there is no other case against the petitioner and that the injury is on a non-vital part of the body.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that 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.

September 02, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No