

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

CRM-M-26375-2020

Date of decision: 07.09.2020

Sharan @ Hoshiar Singh

.....Petitioner.

vs.

State of Punjab

.....Respondent.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Avtar S. Khinda, Advocate, for the petitioner.

Mr. Gaurav Garg Dhuriwala, Senior Deputy Advocate
General, Punjab.

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Sanjay Kumar, J. (ORAL)

The petitioner is one of the accused in FIR No. 165 dated 19.5.2020 on the file of Police Station City Kapurthala, District Kapurthala, registered under Sections 307, 324, 323, 341, 148 and 149 IPC (Section 325 IPC added later on). By way of this petition filed under Section 438 Cr.P.C., he seeks grant of anticipatory bail.

The case of the complainant was that he and his cousin were attacked by a group of persons on 19.5.2020 and that the petitioner was one amongst them. As per the complainant, the petitioner dealt his cousin a blow with a baseball bat. Two of the co-accused of the petitioner have already been granted protection by this Court, by staying their arrest in relation to this offence. One of them allegedly dealt a blow to the complainant with a sickle. The blow attributed to the petitioner is stated to have resulted in a simple injury. Given these circumstances, this Court is of the opinion that it would suffice if the petitioner joins investigation at this stage and his custodial interrogation may not be necessary.

The petition is accordingly allowed directing the petitioner to forthwith join investigation in FIR No. 165 dated 19.5.2020 on the file of Police Station City Kapurthala, District Kapurthala, and co-operate with the police authorities. In the event the police authorities opine in future that his arrest is warranted in relation to this crime, he shall be released on bail upon furnishing a personal bond for a sum of ₹ 50,000/- along with two sureties for a like sum each to the satisfaction of the Investigating /Arresting Officer concerned. In such an event, the petitioner shall also abide by the conditions prescribed in Section 438(2) Cr.P.C.

(SANJAY KUMAR)
JUDGE

07.09.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no