

S.No.101

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

CRM-M-27597 of 2020 (O&M)

Date of Decision:14.09.2020

Rasal Singh

.....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. Rajiv Joshi, 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.11 dated 14.02.2020 registered under Sections 326, 325, 323, 148, 149 IPC at Police Station Harike, Tarn Taran.

It is contended by learned counsel for the petitioner that it is a case of version and cross-version in which the co-accused of the petitioner has been caused grievous injury by the other side. Even for getting medically examined, the said co-accused had to approach the Court for a direction and only then he was medically examined. Although the government hospital had issued an MLR, however, the police have not taken the cognizance of the offence against the other side. Instead, the present case has been concocted against the petitioner and his co-accused. Still further, it is submitted that the co-accused of the petitioner have already been granted concession of anticipatory bail.

Notice of motion.

Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel has submitted that the petitioner has duly participated in the crime and he is attributed an injury to the complainant. However, counsel has not disputed the fact that despite the MLR showing grievous injury caused to the co-accused of the present petitioner, the police had not initiated any action against the other side. It is also not disputed that the injury attributed to the petitioner is simple in nature. Still further, it is not denied that the co-accused of the petitioner has already been granted concession of anticipatory bail.

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 14, 2020
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(RAJBIR SEHRAWAT)
JUDGE

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