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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 28318 of 2020 (O&M)
Decided on: 26.11.2020

Sunny @ Swaraj Bhagat

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Fatehjeet Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.71 dated 16.08.2020, under Sections 276, 307, 452, 427, 506, 34 IPC at Police Station Naya Gaon, District SAS Nagar (Mohali).

The operative part of the order dated 17.09.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

The present petition is filed seeking anticipatory bail in FIR No. 71 dated 16.08.2020, under Sections 276, 307, 452, 427, 506, 34 IPC at Police Station Naya Gaon, District SAS Nagar (Mohali). The FIR is at the instance of Ravinder Pal Singh Pali, Proprietor of Hotel Blue Moon, Naya Gaon. The allegations in the FIR are that two youths came to the hotel on 15.08.2020 in inebriated condition, they asked for room and on refusal they ransacked the hotel.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and there are no

CASE HEARD THROUGH VIDEO CONFERENCING

injuries to anyone and no CCTV Footage is there.

Learned State counsel appearing on advance notice submits that the petitioner has been specifically named in the FIR. She opposes the prayer made by the petitioner.

In the FIR there are no specific role attributed to the petitioner and there is no injury suffered. Learned State counsel has received no instructions as to availability of CCTV footage or any other evidence to support the alleged incident.

Considering the facts and circumstances of the case and the allegations in FIR are prima-facie vague, interim bail is granted to the petitioner subject to joining the investigation within two weeks. He shall be bound by the conditions as envisaged under Section 438(2) Cr.P.C.

List on 26th November, 2020....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 17.09.2020, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Jasbir Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 17.09.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

26.11.2020
yakub

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No