

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28499-2020(O&M)

Date of decision: 5.10.2020

Dalip @ Gaggi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.J.S.Dadwal, Advocate for the petitioner

Ms. Samina Dhir, DAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

On 18.9.2020, the following order was passed by this Court:-

“Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This petition has been filed under Section 438 Cr.P.C., for the grant of concession of anticipatory bail to the petitioner in a criminal case arising from FIR No.0044, dated 08.04.2020, registered under Section 324/326/506/148/149 IPC, at Police Station Daresi, District Ludhiana.

As per the case of the prosecution, a scuffle took place and the petitioner caused injuries on middle and ring finger, of the victim.

Learned counsel for the petitioner contends that there is a delay of 27 days in lodging of the FIR while pointing out that the alleged occurrence is of 12.03.2020, whereas the FIR has been lodged on 08.04.2020. He further contends that the petitioner has been falsely implicated in the case.

Notice of motion for 05.10.2020.

On the request of this court, Mr. Dhruv Dayal, Sr. DAG, Punjab, accepts notice on behalf of the State.

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 Rajinder Singh, has submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation.

In view of the above, order dated 18.9.2020, is hereby made absolute.

The petition stands allowed.

5.10.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No