

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

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IN VIRTUAL COURT

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**CRM-M No. 29740 of 2020
Decided on: 25.9.2020**

Sarwan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Ritesh Pandey, Advocate, for the petitioner

Rajbir Sehrawat, J.(Oral)

The present petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 199 dated 18.8.2020, under Sections 324, 323, 341, 34 IPC (Section 326 IPC added later on), registered at Police Station Sri Hargobindpur, District Batala.

It is submitted by the counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the prosecution, the only attribution to the petitioner is that he raised *lalkara*, upon which the other co-accused caused injuries. The highest offence invoked in the case is under Section 326 IPC. However, the injury is not attributable to the petitioner by any means. The petitioner shall join the investigation. Therefore, the petitioner be protected against his arrest in this case.

Notice of motion.

Mr. Hittan Nehra, Addl. AG, Punjab, accepts notice on behalf of

the State.

The counsel for the State, being instructed by ASI Daljit Singh, submits that there are specific allegations against the petitioner. The petitioner was armed with a *dang*. It is also submitted that there is one more case against the petitioner under the Punjab Excise Act. However, it is not disputed that no injury is attributed to the petitioner.

As response to this, the counsel for the petitioner has submitted that the petitioner is already on bail pending trial in the other case, mentioned by the counsel for the State.

In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail subject to his furnishing personal bonds/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.

(RAJBIR SEHRAWAT)
JUDGE

25.9.2020

Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No