

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

CRM-M-31023-2020
Date of decision: 09.10.2020

Bhupinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. H. P. S. Ishar, Advocate
for the petitioner.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 215 dated 30.10.2019, registered under Sections 324, 323, 326, 341, 506, 148, 149 of the IPC (Section 326 IPC added later on) at Police Station Dirba, District Sangrur.

Learned counsel for the petitioner submits that the alleged incident is stated to have taken place on 28.10.2019, however, the FIR was registered after two days on 30.10.2019.

Learned counsel further submits that initially the petitioner was granted bail and after a long time, Section 326 IPC was added on 17.07.2020.

It is further submitted that as per the allegations in the FIR, the petitioner has allegedly given a blow on the victim resulting into injury on

his nose.

Learned counsel for the petitioner further submits that without prejudice to his right of defence, the petitioner is ready to compensate the victim by handing over him an amount of Rs. 35,000/- towards his medical expenses.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab and Mr. Harshit Jain, who are also appearing through video conferencing, accept notice on behalf of the respondent-State and complainant, respectively.

Learned State counsel, assisted by learned counsel for the complainant, submits that petitioner has caused injury with a sharp edged iron weapon, however, it is not disputed that Section 326 IPC was added subsequently after a period of about 09 months.

Without commenting on the merits of the case, considering the aforesaid facts and also in view of the fact that petitioner has volunteered to compensate the victim by paying him an amount of Rs. 35,000/-, the present petition is allowed and petitioner is granted concession of anticipatory bail, subject to conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon him to join investigation, if required, by issuing him a written notice in this regard.

The petitioner is directed to hand over a demand draft of Rs. 35,000/-, favouring victim Gagandeep Sharma son of Mahinder Pal, to Investigating Officer within a period of 15 days from today and the same will be further handed over to said victim.

It is made clear that if the aforesaid amount is not paid or the petitioner does not join investigation as and when he is required to do so, it will be open for the prosecution/complainant to apply for cancellation of bail.

09.10.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No