

In virtual Court

CRM-M-31038-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31038-2020 (O&M)
Date of decision: 05.10.2020

Karnal Singh @ Bhalwan

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Inderjit Sharma, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.78 dated 02.08.2020 under Sections 324, 323, 148, 149 IPC and Section 307 IPC (added later on), registered at Police Station Purana Shalla, District Gurdaspur.

Learned counsel for the petitioner submits that the petitioner was initially granted the concession of interim anticipatory bail and he has joined the investigation, but the same was dismissed on the premise that he did not cooperate in the investigation. It is further submitted that the injury invoking Section 307 IPC is not attributed to the petitioner and it is a case of version and cross-version. Learned counsel relies upon the order dated 09.09.2020 passed in

CRM-M-26881-2020, vide which co-accused Sandeep Singh @ Bhindi has been granted the concession of interim anticipatory bail, the order dated 11.09.2020 passed in CRM-M-27401-2020, vide which Gurbinder Singh @ Gopi has been granted the concession of interim anticipatory bail and the order dated 08.09.2020 passed in CRM-M-26558-2020, vide which co-accused Jarnail Singh has been granted the concession of interim anticipatory bail.

Learned counsel for the petitioner further submits that as per allegations in the FIR, complainant Dalwinder Singh @ Sabi had gone to get his water motor repaired, where Reesham Singh armed with a sword, Mintu armed with a datar, petitioner Karnail Singh armed with an iron rod and Satnam Singh armed with a datar, attacked the complainant, Varinderjit Singh @ Happy and Joban Masih. It is further stated in the FIR that the petitioner had given rod blow to knee of one of the victim.

Learned State counsel has submitted that the petitioner was earlier involved in three FIRs pertaining to the year 2007, which have already been settled and the petitioner stands acquitted.

Learned counsel for the complainant has, however, opposed the prayer for bail on the ground that as many as four persons have been injured, who have suffered multiple injuries.

In reply, learned counsel for the petitioner has submitted that it is a case of version and cross-version and the cross-version, at the instance of petitioner, has not been registered and they have lodged the complaint in this regard.

After hearing learned counsel for the parties, considering the fact

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that the petitioner was initially granted the concession of interim anticipatory bail and the same was declined only on the ground that he has not cooperated in the investigation and also looking into the allegations against the petitioner, this petition is allowed and the petitioner is granted the concession of anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It is made clear that in case the petitioner failed to cooperate in the investigation, it will be open for the prosecution to apply for cancellation of bail.

**[ARVIND SINGH SANGWAN]
JUDGE**

05.10.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No