

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

**CRM-M No. 31496 of 2020
Date of decision: 07.10.2020.**

Prince Kohli Petitioner.

Versus

State of Punjab Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vishal Munjal, Advocate, for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab, for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 0051 dated 20.05.2018, under Sections 323, 341, 148, 149 and 379 of the Indian Penal Code, 1860 ('IPC' - for short) (Section 379 IPC added vide GD No. 053 on 17.07.2020), registered at Police Station Sujanpur, District Pathankot.

Learned counsel for the petitioner contends that there is a delay of eight days in registering the FIR and it is alleged that the petitioner had caused injuries with a stick on the back and face of the complainant. He also contends that there was a land dispute between the parties and the complainant had filed a civil suit for recovery which is pending adjudication before the trial Court. He also contends that the petitioner had been granted bail by the Judicial Magistrate, but after two years when offence under Section 379 IPC was added on the allegation that the mobile phone of the complainant was taken away at the time of occurrence, his bail was cancelled.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent. He contends that in view of the gravity of the offence alleged to have been committed by the petitioner, he is not entitled to the concession of anticipatory bail.

Without expressing any opinion on the merits of the case and in view of the submissions of learned counsel for the petitioner, I deem it a fit case to grant the concession of anticipatory bail to the petitioner.

Therefore, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 of the Code of Criminal Procedure, 1973 ('Cr.P.C.' - for short). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed of in the aforementioned terms.

(ANUPINDER SINGH GREWAL)
JUDGE

07.10.2020

Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No