

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.31626 of 2020
DATE OF DECISION : 8th OCTOBER, 2020

Raj Kumar

.... **Petitioner**

Versus

State of Punjab

.... **Respondent**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. T.P.S. Bhatti, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.42 dated 19.02.2020 registered under Sections 341, 353, 323 & 506 IPC at Police Station Phillaur, District Jalandhar.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the allegations, the petitioner is not alleged to have caused any injury to any person. Merely presence of the petitioner at a public place cannot be alleged by the complainant to constitute illegal confinement of the complainant by the petitioner. Still further it is submitted that, in fact, the complainant being *Sarpanch* of the village, intended to usurp the amount of grant disbursed by the Government for construction purposes in the school. The petitioner, being news reporter with different channels, had

gone to the place to get the relevant information for the purpose of reporting. The complainant had felt outraged on the attempt of the petitioner to report bungling committed by the Sarpanch. Hence, the false case has been got registered against the petitioner. There is no other case against him. The petitioner shall join the investigation. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Pawan Sharda, Sr. DAG, Punjab, accepts notice on behalf of the State.

The learned State Counsel, being instructed by ASI Mohan Singh, has submitted that the name of the petitioner is specifically mentioned in the FIR. However, it is not disputed that in this alleged incident no injury is alleged to have been caused to any person. It is also not disputed that there is no other case against the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that 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.

8TH OCTOBER, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No