

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.32686 of 2020 (O&M)

Date of Decision: 24.11.2020

Prabhjot Singh @ Jyoti

..... Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Mehardeep Singh Dullat, Addl. AG, Punjab.

Harnaresh Singh Gill, J (Oral)

The case is being taken up for hearing through video conferencing.

Through the instant petition under section 438, Code of Criminal Procedure, the petitioner seeks anticipatory bail in case FIR No. 241 dated 06.09.2020 under Sections 323, 324, 326, 148, 149, Indian Penal Code, 1860 registered at Police Station Kamboj, District Amritsar-Rural.

On 15.10.2020, a Coordinate Bench of this Court passed the following order:-

“ This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in FIR No.241 dated 06.09.2020, under Sections 323/324/326/148/149 IPC, Police Station Kamboj, District Amritsar Rural. Even as per averments in the FIR, the petitioner is attributed a Dattar blow on the calf of the left leg of the complainant–Nirmal Singh, whereas his medico legal report reflects the said injury to be simple and caused with a blunt weapon. The injury attracting the rigours of Section 326 IPC, it is submitted, is attributed to Baljinder Singh.

Notice of motion.

Ms. Monica Jalota, D.A.G., Punjab, accepts notice on behalf of the respondent-State. Advance copy of the paper book already stands supplied. She prays for some time.

At request of learned counsel for the State, adjourned to 24.11.2020. To be heard along with CRM-M-32030-2020.

In the meanwhile, the petitioner shall join investigation as and when required by the Investigating Officer. In the event of his arrest, the petitioner shall be released on bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Learned counsel for the petitioner states that pursuant to the order dated 15.10.2020 passed by the Coordinate Bench of this Court, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Amar Singh, states that the petitioner has joined the investigation and he is not required for any further investigation and the weapons have also been recovered.

I have heard the learned counsel for the parties.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 15.10.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

24th November, 2020

Sonia Puri

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No