

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

103

CRM-M No.32661 of 2020

DATE OF DECISION : 14th OCTOBER, 2020

Sandeep 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. P.P.S. Tung, 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.0135 dated 27.08.2020 registered under Sections 452, 323 & 34 IPC (Section 325 IPC added later on) at Police Station City Sadar Budhlada, District Mansa.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. In fact, son of the complainant had tried to molest the wife of the present petitioner, for which he is already facing legal proceedings. Just as a pressure tactics, the present FIR has been concocted by the complainant. Still further it is submitted that even as per the case of the prosecution, the allegation against the petitioner is qua causing simple injury. The petitioner shall join the investigation. There is no other case against the petitioner. Hence, the petitioner deserves concession of anticipatory bail.

Notice of motion.

Mr. Ajay Pal Singh Gill, DAG, Punjab, accepts notice on behalf of the State of Punjab.

The learned State Counsel has submitted that the name of the petitioner is specifically mentioned in the FIR. However, it is not disputed that the injury attributed to the petitioner is simple in nature; there is no other case against the petitioner and that there is earlier litigation, in which the side of the complainant is the accused.

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.

14th OCTOBER, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*