

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

CRM-M-33585-2020
Date of decision: 07.12.2020

Balwinder Singh @ Bhila

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. D. S. Virk, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Manoj Kaushik, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 92 dated 20.06.2020, registered under Sections 323, 324, 148, 149 of the IPC (Section 326 IPC added later on) at Police Station Dera Baba Nanak, District Gurdaspur.

The operative part of the order dated 26.10.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Inter-alia contends that accused Jugraj Singh @ Jagga has already been granted interim protection by this Court vide order dated 08.09.2020 passed in CRM-M-26552-2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 26.10.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on telephonic instructions from

the Investigating Officer, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

However, learned counsel for the complainant submits that injury Nos. 8 and 9 are attributed to petitioner and co-accused Jugraj Singh @ Jagga, which are declared grievous and victim/complainant Jang Bahadur Singh has suffered huge medical expenses.

On this, learned counsel for the petitioner has volunteered that without any prejudice to the right of defence of the petitioner, he will hand over a demand draft of Rs. 25,000/-, favouring the complainant.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 26.10.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, this will be subject to a condition that petitioner will hand over a demand draft of Rs. 25,000/- favouring complainant/victim Jang Bahadur Singh, to the Illaqua Magistrate within a period of 30 days from today, which in turn will be handed over to said complainant/victim, without any prejudice to the right of defence of the petitioner.

07.12.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No