

S.No.110

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

CRM-M-34193 of 2020 (O&M)

Date of Decision:28.10.2020

Manga Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Ritesh Pandey, Advocate for the petitioner.

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.199 dated 18.08.2020, under Sections 324, 323, 341, 34 IPC (Section 326 IPC added later on), registered at Police Station Sri Hargobindpur, District Batala.

It is submitted by the counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the prosecution, the only attribution to the petitioner is that he gave dang blow on back and leg of the complainant. The highest offence invoked in the case is under Section 326 IPC. However, the injury inviting Section 326 IPC is not attributable to the petitioner by any means. The petitioner shall join the investigation. Therefore, the petitioner be protected against his arrest in this case.

Notice of motion.

Mr. Randhir Thind, DAG, Punjab, accepts notice on behalf of the State.

The counsel for the State submits that there are specific

allegations against the petitioner. The petitioner was armed with a dang and caused injuries. It is also submitted that there is one more case against the petitioner. However, it is not disputed that the injury attributed to the petitioner is simple in nature.

As response to this, the counsel for the petitioner has submitted that the petitioner is already on bail pending trial in the other case, mentioned by the counsel for the State.

In view of the above submissions, 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.

October 28, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No