

In virtual Court

CRM-M-36144-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36144-2020 (O&M)
Date of decision: 22.12.2020

Balbir Singh and others

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.K. Walia, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. A.S. Salar, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.282 dated 07.10.2020 under Sections 308, 325, 323, 341, 34 IPC, registered at Police Station Bhawanigarh, District Sangrur.

On 07.12.2020, following order was passed by this Court: -

“...Learned counsel for the petitioners submits that petitioner No.1-Balbir Singh has already been arrested in the instant case FIR on 27.11.2020 and as such present petition qua petitioner No.1-Balbir Singh has become infructuous.

In view of above, instant petition seeking pre-arrest bail on

behalf of petitioner No.1-Balbir Singh is disposed of having been rendered infructuous.

Learned State counsel seeks some more time to file detailed reply/status report.

Learned counsel for the petitioners submits that a bare perusal of allegations as set up in the complaint, on the basis of which FIR was registered, alleged head injury on the person of injured Kuldeep Singh son of Baghel Singh has been attributed to petitioner No.3 Kuldeep Singh son of Balbir Singh. He further urges that either simple or grievous injuries by means of blunt weapons have been attributed to petitioners No.2 and 4 namely Major Singh and Karnail Singh. He further urges that since detailed reply is yet to be filed at the instance of respondent-State, interim protection may be granted to petitioners No.2 and 4 namely Major Singh and Karnail Singh only. He further submits that petitioners No.2 and 4 are ready to join investigation as and when called upon to do so by Investigating Agency...”

Learned counsel for the petitioner submits that petitioner No.1 already stands arrested and grievous injury is attributed to petitioner No.3. It is further submitted that in compliance of the order dated 07.12.2020, petitioners No.2 & 4 have joined the investigation and they are not attributed serious injuries.

Learned State counsel, on instructions from SI Balwinder Singh, has not disputed the factual position and states that the petitioner is no more

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required for further investigation.

Learned counsel for the complainant has, however, submitted that petitioner No.3 is not arrested.

In view of the above, this petition is allowed and the order dated 07.12.2020 passed by this Court is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

The SSP, Sangrur is directed to ensure that arrest of petitioner No.3 is made, in accordance with law.

[ARVIND SINGH SANGWAN]
JUDGE

22.12.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No