

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 36571 of 2020
Date of Decision: 09.11.2020**

Surjit Singh @ Kala

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No. 199 dated 18.8.2020, registered under Sections 324, 323, 341, 34 and 326 (added later on) IPC, Police Station Sri Hargobindpur, District Batala.

Learned counsel for the petitioner contends that though, as per the prosecution case, the petitioner has been attributed two *dang* blows on the right and left shoulders of the complainant but the said injuries are simple in nature. He further submits that co-accused Manga Singh, who was attributed dang blow on the back and left leg near the knee of the complainant, has already been granted the concession of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 28.10.2020.

Notice of motion.

On the asking of the Court, Mr. A.S.Sandhu, Addl. A.G.,

Punjab accepts notice on behalf of the State. He has not disputed the fact that the injuries attributed to the petitioner, are simple in nature and that the co-accused has been granted anticipatory bail by the Co-ordinate Bench of this Court.

I have heard the learned counsel for the parties.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds merit in this petition and the same is allowed. The petitioner is directed to join the investigation as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

(HARNARESH SINGH GILL)
JUDGE

November 09, 2020
Gurpreet

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