

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

CRM-M-39458-2020 (O&M)

Date of decision: December 22, 2020

Bhagat Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jagjit Gill, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.
(through video conferencing).

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.0235 dated 09.11.2020 registered under Sections 186, 323, 353, 427, 34 IPC at Police Station Nathusari Chopta, District Sirsa.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Constable Hanuman Singh, when he was on duty at about 01:00 AM at night, two persons were standing in the middle of the road having lathi in their hands and when he stopped his government vehicle near them and asked them as to why they were standing on the road. Then one of the accused i.e. the petitioner – Bhagat Singh, started abusing him. When the complainant started making video of the occurrence on his phone, the accused snatched his mobile and throw the same on the road. In the meantime, two boys gave lathi blow on the head of HGH Sher Singh from behind and thereafter, they fled away from the spot.

Counsel for the petitioner has further submitted that the injuries are attributed to the co-accused of the petitioner namely Rajesh and he along with Sahab Ram Kaswan and Puran, were arrested and they have already been granted the concession of regular bail. It is also submitted that without prejudice to the rights of the defence, the petitioner is ready to pay a sum of Rs.25,000/- to the victim.

Counsel for the State has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the injuries are attributed to the co-accused of the petitioner and the other co-accused of the petitioner namely Sahab Ram Kaswan and Puran, have already been released on bail, this petition is allowed and the petitioner is directed to be released on interim bail subject to the conditions envisaged under Section 438(2) Cr.P.C. and on payment of Rs.25,000/- to be paid to the victim, without prejudice to his right of defence.

It will be open for the Investigating Officer to summon the petitioner as and when he is required for any investigation, after issuing an advance notice to him in writing.

December 22, 2020
satish

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No