

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

CRM-M No.35889 of 2019

Date of Decision : 06.02.2020

Talwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. H.S. Randhawa, Advocate for
Mr. Preetinder S. Ahluwalia, Advocate
for the Petitioner.

Mr. Sukhbeer Singh, Assistant Advocate General,
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking Anticipatory Bail in case FIR No.90, dated 10.06.2019, registered under Sections 323, 452, 506 and 34 of the Indian Penal Code, 1860 (for short, the I.P.C.) at Police Station Sadar Nabha, District Patiala.

2. Seen Status Report by way of affidavit of Deputy Superintendent of Police, Circle Nabha District Patiala, filed on behalf of the Respondent/ State.

3. In transpires that no CCTV Footage of the occurrence is available as no recording was effected due to technical fault.

4. In such circumstances, considering that FIR was lodged more than seven months ago, and the only non-bailable offence contained therein (Section Section 452 of the IPC), is not *prima facie* established at least by way of electronic evidence, the Petitioner, in the event of arrest, is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 of the Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438(2) of the Cr.P.C.. Thereafter, the petitioner will be permitted to furnish bail bonds to the satisfaction of the Ld. Trial Court.

February 06, 2020

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No