

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

111

CRM-M No.43945 of 2020

DATE OF DECISION : 24th DECEMBER, 2020

Gurpreet Puri

.... **Petitioner**

Versus

State of Punjab

.... **Respondent**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

=====

In virtual Court

=====

Present: Mr. Mohit Garg, 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.142 dated 19.11.2020 registered under Sections 452, 323, 427, 506, 148 & 149 IPC at Police Station Sadar Rajpura, District Patiala.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. In fact, the entire family of the petitioner has been sought to be involved in this case. The petitioner was not even present at the place and time of occurrence, as mentioned in the FIR. In fact, the petitioner was on his duty with the employer. It is also submitted that all the offences, alleged against the petitioner, except the offence under Section 452, are bailable in nature. It is further submitted that all the other co-accused of the petitioner has already been granted anticipatory bail by the court below. It is also

submitted that there is no other case against the petitioner. It is also submitted that the petitioner was granted interim protection in the first instance by the court below itself. However, ultimately the said petition filed for anticipatory bail was dismissed by the court below because the investigating officer had made a statement that the petitioner was not cooperating during investigation. However, the investigating officer has not even pointed out as to in what manner the petitioner was not cooperating. The petitioner would join the investigation once again. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Dhruv Dayal, Sr. DAG, Punjab, accepts notice on behalf of the State and Mr. Deepak Kumar Bartia, put in appearance on behalf of the complainant.

The learned State Counsel, being instructed by ASI Roshan Kumar, has submitted that the name of the petitioner is mentioned in the FIR. He has further submitted that the petitioner and his co-accused have committed heinous crime by entering into the house of the complainant and by breaking the window pans of the car. They had also caused injuries with *dandas* and rods. However, it is not disputed that there is no other case against the petitioner and that the other co-accused of the petitioner have already been granted concession of anticipatory bail by the courts below.

In view of the above, 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.

24th DECEMBER, 2020
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>