

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-53931-2019 (O&M)
Date of decision: 31.01.2020

Anil Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Bawa, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.149 dated 23.10.2019 under Sections 353, 186, 332, 295, 34 IPC, registered at Police Station 'C' Division, Amritsar, District Police Commissionerate Amritsar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Mukhtiar Singh, a Bailiff working with Civil Judge, Amritsar, on 23.10.2019, he had gone to execute the warrants of possession, in which father of the petitioner Kimti Lal is the judgment debtor. At the spot, he met the petitioner and his father and both of them started giving slaps to him and removed his turban. It is further submitted that father of the petitioner Kimti Lal was not arrested at the spot, however, the petitioner was arrested.

Learned counsel for the petitioner further submits that the petitioner is in custody since 23.10.2019; he is not involved in any other case and even prior to the incident, he is suffering from some mental disease, for which he is under treatment with Dr. Vidya Sagar Institute of Mental Health, Amritsar and as per OPD slip dated 21.09.2012, the petitioner is stated to be a man aged about 62 years. A photocopy of the aforesaid OPD slip is taken on record.

Learned State counsel, on instructions from ASI Harjinder Singh, has submitted that later on, possession of the property was taken from the judgment debtor Kimti Lal on 01.12.2019

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

31.01.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No