

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54439-2019

Date of Decision: 21.01.2020

Balkaran Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harmanpreet Sehgal, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.164 dated 27.09.2019, under Sections 324, 323 and 34 IPC (Section 326 IPC added subsequently), registered at Police Station Bhikhi, District Mansa.

On 19.12.2019, notice of motion was issued.

Learned counsel for the petitioner submits that the petitioner had not only beaten the index finger of the complainant, but also gave three punches to him. It is pointed out that the offence punishable under Section 326 IPC was added subsequently.

Learned State counsel assisted by HC Baljinder Singh has pointed out that because of the injuries suffered on the index finger of the victim, the offence punishable under Section 326 IPC was added on 26.10.2019.

At this stage, learned counsel for the petitioner contends that the FIR was recorded after deliberations as victim Bikkar Singh refused to

give his statement to the police officer, who visited the Civil Hospital, Mansa for recording his statement. According to him, though the doctor had declared the victim fit for making the statement, however, the patient said that he would give his statement after consulting the relatives.

Considering the above background, but without meaning any expression of opinion on merits of the case, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438 (2) Cr.P.C.

The petition is allowed.

21.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No