

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

208

CRM-M-1103-2021

Date of Decision: 27.08.2021

Balvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ferry Sofat, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Gurmail Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0186 dated 22.12.2020 at Police Station Sidhwan Bet, District Ludhiana Rural, under Sections 323/324/427/341/506/148/149 IPC (Section 326 IPC added later on).
2. The FIR in question was lodged at the instance of Amritpal Singh, wherein it is alleged that on 21.12.2020, when he alongwith Dharminster Singh and Sarabjeet Singh were going in a Bolero vehicle so as to collect cash on behalf of Mahadev Enclave Private Limited for whom he is working and when after collecting cash amount of Rs.70,000/- they were returning back, they were surrounded by white coloured cars and the persons sitting in the

car damaged their vehicle and also gave beatings to them and snatched the cash amount of Rs.70,000/-. It is alleged that one of the persons, who was wearing turban and gave injuries to him, claimed that he is Balvir Singh and that he had taught them a lesson for not permitting him to load sand in his vehicle.

3. At the time of issuance of notice of motion on 11.01.2021, the following order was passed:

“Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated by ‘Mining Mafia’ in the instant case as he had been taking up the cause of Environment and Ecology and had also filed a writ petition in this Court i.e. CWP-8618 of 2020 taking up the said issue pertaining to mining, which is now fixed for today i.e. 11.1.2021.

Notice of motion for 8.3.2021.

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xx”

4. Subsequently, on the next date i.e. 08.03.2021, a direction was issued to the State to examine the CCTV footage, which had been furnished by the petitioner.
5. Learned State counsel has today informed that the CCTV footage furnished by the petitioner has been got examined and as per which the petitioner was at Gym on the given day from 5.00 PM to 7.00 PM and thereafter was at Subway Outlet (eateries) from 7.00 PM onwards. Learned State counsel has further informed that on investigation, the State is contemplating to file an ‘untraced report’ and that in these circumstances, it has no objection to the grant of anticipatory bail particularly since the petitioner had otherwise joined investigation.

6. In view of the aforestated position, the petition merits acceptance and is hereby accepted and the interim directions issued by this Court vide order dated 11.01.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

27.08.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**