

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

205

CRM-M-912-2020

Date of Decision: 18.08.2021

Dharamvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. I.S.Dhaliwal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Harmanjit 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 against him vide FIR No.109 dated 12.11.2019 at Police Station SGN, Dev Thermal, Bathinda, District Bathinda, under Sections 353/186/332/427/148/149 IPC.
2. The FIR in question was lodged at the instance of Constable Amandeep Singh, wherein it is alleged that on the day of occurrence i.e. on 12.11.2019, when he reached in front of house of Dharamvir Singh in connection with investigation of FIR No.37 dated 05.05.2019 registered at Police Station Thermal, under Sections 455/323 IPC, said Dharamvir was found present in the house. However, when said Dharamvir was called by SI Gurdas Singh, he started raising ruckus and started hurling abuses and

scuffled with the police party. It is further alleged that Manpreet Singh armed with a stick and Gurtej Singh armed with a stick along with 8-10 other persons also came at the spot. When SI Gurdas Singh informed that he has to arrest Dharamvir in connection with a case, said Dharamvir gave a blow with *khundi* alleged to be in his hand on the back of the complainant and the Samsung mobile phone held by the complainant got damaged due to the stick blow. Manpreet Singh is also alleged to have given a blow on the complainant's back and so is Gurtej Singh. It is alleged that Dharamvir, Manpreet Singh and Gurtej Singh abused the Police party.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated by the police on account of police nursing some grudge against him and that in fact he was not even permitted to join investigation when he was granted interim bail by the trial Court.
4. On the other hand, learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial interrogation is not required.
5. Having regard to the nature of allegations and the fact that the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 13.01.2020 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.

18.08.2021

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(GURVINDER SINGH GILL)
JUDGE

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