

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6386-2021 (O&M)

Date of decision: 16.03.2021

Vishva Nath

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.251 dated 19.11.2020 under Sections 307, 342, 323, 148, 149 IPC, registered at Police Station Canal Colony, District Bathinda.

While granting interim bail to the petitioner, following order was passed by this Court on 11.02.2021: -

“...Learned counsel for the petitioner submits that as per allegation in the FIR, the petitioner had caused injury invoking Section 307 IPC. Learned counsel further submits that considering the fact that the victim remained admitted in hospital for a period of 20 days, the petitioner, without any prejudice to his right of defence, is ready to pay a compensation of Rs.1,00,000/- to the

victim towards his medical expenses.

Learned counsel for the petitioner also relies upon orders dated 07.01.2021 passed in CRM-M-480-2021 and dated 08.02.2021 passed in CRM-M-5678-2021, vide which two of the co-accused have been granted concession of anticipatory bail as they have also volunteered to pay Rs.25,000/- each to the victim, without prejudice of their right of defence.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is also appearing through video conferencing, accepts notice on behalf of the respondent-State and opposes the prayer on the ground that petitioner is the main person and the injury that is a lacerated wound over right side of fronto temporal area is attributed to the petitioner.

Learned State counsel further submits that the injury suffered by the victim Vijay Kumar was on the head, which is the vital part of the body.

Adjourned to 16.03.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, 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.

However, this will be subject to a condition that petitioner

will hand over a demand draft of Rs.1,00,000/-, favouring victim Vijay Kumar, to the Investigating Officer within a period of 15 days from today and the same will further be handed over to said victim...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation and has also deposited the amount of Rs.1.00 lac with the Illaqa Magistrate, as directed by this Court vide order dated 11.02.2021.

Learned State counsel, on instructions from SI Satpal Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 11.02.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

16.03.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No