

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

**CRM-M-6570-2021
Date of decision: 16.02.2021**

Vishal Sahota

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. J. S. Thakur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 2 dated 08.01.2020, registered under Sections 307, 323, 324, 506, 148, 149 of the IPC (Sections 326, 325 of the IPC added later on) at Police Station City Nakodar, District Jalandhar.

Learned counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of complainant Amrit Pal Singh, it is stated that co-accused Ajit Singh @ Nanni, Rohit Dhir @ Zharia, Jasvir @ Jassa and Naveen @ Billa, by forming an unlawful assembly, caused multiple injuries on the face and head of the complainant. As per further allegations, co-accused Ajit Singh instructed other accused persons that complainant should not be spared, upon which, accused Rohit Dhir hit on the head and nose of the complainant with his *Datar* and accused Jasvir @ Jassa gave injuries on the head of the complainant and accused Naveen @ Billa gave injuries on the left eye, chin and lips of the

complainant and then Ajit Singh @ Nanni took the *Datar* from Jasvir @ Jassa and gave a blow on complainant's mouth. Thereafter, all the accused persons fled away from the spot.

Learned counsel for the petitioner further submits that complainant was taken to a private hospital at Jalandhar, where the doctor reported total 09 injuries on complainant and except injury Nos. 4 and 5, all the injuries were reported to have been caused by sharp edged weapons. Thereafter, the present FIR was registered.

Learned counsel for the petitioner further submits that there is no specific opinion that any injury was declared dangerous to life as it was a case of free fight, in which the petitioner also suffered injuries.

Learned counsel for the petitioner further submits that petitioner was not initially named in the FIR and his name surfaced during investigation.

Learned counsel for the petitioner further submits that in order to show his *bona fide*, the petitioner is ready to deposit an amount of Rs. 50,000/- with the Illaqua Magistrate, to be paid to victim towards his medical expenses, without any prejudice to the right of defence of petitioner.

Learned State counsel, however, submits that complainant suffered total 09 injuries, out of which, 07 injuries were found to have been caused with sharp edged weapon and 02 injuries with blunt edged weapon. However, it is not disputed that petitioner was not initially named in the FIR and no specific injury is attributed to him.

In view of the above, without commenting anything on the merits of the case, the present petition is allowed and the petitioner is

granted concession of anticipatory bail subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, this will be subject to a condition that petitioner will deposit a sum of Rs. 50,000/- with the Illaqua Magistrate within a period of 30 days from today, which will be remitted to the victim, failing which, the present petition shall be deemed to be dismissed.

The payment of aforesaid amount to victim shall not cause any prejudice to the right of defence of the petitioner.

It will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

16.02.2021
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>