

In virtual Court

CRM-M-7383-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7383-2021 (O&M)
Date of decision: 24.09.2021

Gurbaksh Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Kathuria, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Naveen Batra, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.76 dated 08.12.2020 under Sections 323, 326, 341, 34 IPC and Section 307 IPC (added later on), registered at Police Station Pojewal, District SBS Nagar.

While granting interim bail to the petitioner, following order was passed by this Court on 07.04.2021: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case as he is known to

the main accused- Jassi; in the FIR the complainant – injured had attributed injuries upon him to four persons whereas in the supplementary statement when he specifically named the petitioner he alleged injuries upon him by six persons which creates a doubt in the entire prosecution story; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, no specific role is attributed to the petitioner; similarly placed co-accused Palwinder Singh and Rajat Mathan have been granted regular bail by the Trial Court; the main allegations as borne out from the FIR are against co-accused- Jassi and Deepa and that the petitioner is ready and willing to join investigation as and when called by the investigating agency...”

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. Learned counsel further submits that the petitioner has volunteered to deposit a sum of Rs.35,000/- with the trial Court to be paid to victim Jasvir Singh towards medical expenses within two months from today.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position and states that the petitioner is not required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 07.04.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It will be open for victim Jasvir Singh to accept the amount,

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otherwise the same will remain deposited with the trial Court. However, this will be without prejudice to right of defence of the petitioner as well as the victim, as the amount is only towards the medical expenses.

24.09.2021

vishnu

**[ARVIND SINGH SANGWAN]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No