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

CRM-M-8632-2021

Date of decision : 09.12.2021

Anokh Singh @ Bhutto

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Munish Puri, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Amit Jhanji, Sr. Advocate with
Mr. Himmat Singh Sidhu, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.241 dated 23.11.2020 registered under Sections 307, 323, 324, 120-B, 148, 149 of the Indian Penal Code, 1860 (Section 326 of IPC has been added later on) at Police Station Division No.2, District Pathankot.

On 26.08.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“The Court has been convened through video conferencing due to Covid-19 pandemic.

Counsel for the petitioner has contended that there

was some dispute regarding the possession of the plot regarding which civil litigation is pending between the parties and an altercation took place in which the petitioner is alleged to have attributed injury near the left ear of Rajiv Puri, which has been declared to be simple.

List on 09.12.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 26.08.2021, the petitioner has joined the investigation.

Learned State Counsel, on instructions from ASI Ramesh Kumar, has submitted that the petitioner has joined the investigation on 15.09.2021 and is not required for any further custodial interrogation.

Learned Senior Counsel for the complainant has, however, opposed the present petition for grant of anticipatory bail to the petitioner.

Keeping in view the abovesaid facts and circumstances, moreso the facts which have been noticed in order dated 26.08.2021 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 26.08.2021 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

09.12.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No