

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-10874-2020 (O&M)
Date of Decision:-2.9.2021

Jasvir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Satwant Singh Rang, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Harbinder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.96 dated 7.4.2019 under Sections 365, 323, 148 and 149 of Indian Penal Code at Police Station City Kharar District SAS Nagar.
2. The FIR was lodged at the instance of Devinder Singh wherein it is alleged that on 5.4.2019 at about 7 p.m., his tipper bearing Registration No.PB-05-1171 driven by Satpreet was obstructed by accused Gurpreet Singh @ Bhoda and his nephew Manpreet alongwith Jasvir Singh and his son Aman accompanied by 2-3 unknown persons. Gurpreet climbed upon the tipper and told the driver to stop the same. The tipper driver was asked to call his boss at the spot. The complainant, on receiving information went to the

police station alongwith Gurvinder Singh where Gurpreet Singh and his nephew Manpreet Singh alongwith Jasvir Singh and his son Aman and 2-3 unknown persons were already present and they started quarrelling with the complainant Devinder Singh and Gurvinder Singh and during the said scuffle, a chain worn by Gurvinder Singh was lost. It is alleged that the complainant was manhandled and given beatings and was pushed in a Verna car and was taken in front of house of Simran and upon hearing his cries, Simran, his brother and his father came out and took him inside their house from where he fled away after scaling the wall on the rear side. However, the accused followed him and again pushed him into a car and threw him at round-about near Dara Studio.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the instant case and that there is no specific attribution of any injury to the petitioner and that in any case it is a case of allegations pertaining to causing simple injuries. It has also been submitted that since several other co-accused have been granted the concession of anticipatory bail, therefore, the petitioner deserves the same concession on grounds of parity.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. The learned State counsel has, however, informed that pursuant to interim directions, the petitioner has since joined investigation and is not wanted in any other case.
5. I have considered rival submissions addressed before this Court.

6. Having regard to the nature of allegations and that no specific role is attributed to the petitioner and also that the petitioner has already joined investigation, his custodial interrogation is not warranted.
7. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 16.3.2020 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.

2.9.2021

kamal

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No