

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(203)

CRM-M-15428-2021 (O&M)

Date of Decision : November 08, 2021

Jaskaran Singh Sarpanch @ Leepy

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Navjot Singh, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. Gopal Singh Nahel, Advocate, for respondent No.2.

HARSIMRAN SINGH SETHI J. (ORAL)

CRM-14126-2021

Present application has been filed for impleading the complainant namely Ajaib Singh as respondent No.2 as a party and to place on record the amended memo of parties.

Notice of the application to the counsel opposite.

Mr. Navjot Singh, Advocate, who is present in the Court, accepts notice on behalf of the petitioner-non-applicant. He raises no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, present application is allowed. The complainant namely Ajaib Singh is allowed to be impleaded as respondent No.2 in the present petition and the amended memo of parties attached with

the present application is taken on record.

CRM-M-15428-2021

The petitioner is seeking anticipatory bail in FIR No. 43 dated 20.03.2021 registered under Sections 323, 341, 379-B, 506 and 34 of the Indian Penal Code, 1860 at Police Station Bhawanigarh, District Sangrur, Punjab.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Coordinate Bench of this Court dated 07.04.2021. Order dated 07.04.2021 is as under:-

“Learned counsel for the petitioner has contended that since tractor trolley of the complainant had struck the car of the petitioner/accused, which gave rise to an altercation and on account of intervention of local MLA with which the petitioner is having strained relations, the present FIR has been registered. He has further contended that the petitioner is ready and willing to join the investigation.

Notice of motion.

Mr.J.S. Ghuman, DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 13.7.2021.

I find it a fit case to grant interim bail to the petitioner. As such, the petitioner is directed to join the investigation by contacting the Investigating Officer within seven days from today and render all sort of co-operation. The petitioner is to surrender his passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. If in the meanwhile, he is arrested, he be released on bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Learned counsel for the respondent-State as well as learned counsel for respondent No.2-complainant submit that the tractor trolley, which is stated to have been taken away by the petitioner, is yet to be

recovered and the petitioner is not cooperating and therefore, interim bail granted by this Court may kindly be declined.

Learned counsel for the petitioner, on the other hand, submits that once, it is a specific case of the petitioner that the tractor/trolley is not in his possession, the question of recovery of the same does not arise.

Learned counsel for the petitioner submits that the petitioner is ready to deposit to Rs.11 lacs i.e. the cost of the tractor/trolley with the Investigating Agency to show his bona-fide.

In view of the above, the order dated 07.04.2021 granting interim bail to the petitioner is made absolute.

As undertaken by learned counsel for the petitioner, the petitioner will deposit a sum of Rs.11 lacs with the Investigating Agency within a period of two weeks, which will put the same in the fixed deposit so that the complainant or the petitioner, whosoever is found entitled for the said amount by the trial Court at the end of the trial, does not suffer any loss.

The petition stands disposed of.

CRM-14131-2021

In view of the order passed in the main petition, the application stands disposed of.

November 08, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No