

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

CRM-M-18574-2021
Date of decision: 13.05.2021

Karanvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Lakhvir Kumar, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 24 dated 07.04.2020, registered under Sections 323, 341, 353, 188, 34 of the IPC at Police Station Kathgarh, District S.B.S. Nagar.

Learned counsel for the petitioner submits that incident is of 07.04.2020 and the name of the petitioner was arrayed as an accused much after the date of incident on the basis of a disclosure statement.

Learned counsel further submits that petitioner was not named in the FIR and was a juvenile at the time of incident and has now attained the age of 18 years.

Learned counsel further submits that co-accused Satpal Singh @ Palli, who is father of the petitioner, has already been granted concession of anticipatory bail by this Court, vide order dated 01.09.2020 passed in CRM-M-16592-2020.

Learned counsel for the petitioner further submits that though there is no specific allegation against the petitioner, however, just to show his *bona fide*, he is ready to hand over a demand draft of Rs. 10,000/-, favouring the complainant/victim, to the Illaqua Magistrate/trial Court within a period of four weeks from today, which may further be handed over to complainant/victim.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is also appearing through video conferencing, accepts notice on behalf of the respondent-State. Learned State counsel does not dispute the factual position and submits that the petitioner was later on nominated in the FIR. It is further submitted that the accused persons have used criminal force and assaulted one ASI Joginderpal, who is a public servant and was on official duty on the day of incident. It is further submitted that challan, against the father of the petitioner, has already been presented.

After hearing learned counsel for the parties, without commenting on the merits of the case, considering the fact that petitioner was not of the age of 18 years at the time of incident and he was later on nominated in the FIR, 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. 10,000/-, favouring the complainant/victim, with the Illaqua Magistrate/trial Court within a period of four weeks from today, which will be handed to the complainant/victim, without 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 required, by issuing him a written notice in this regard.

13.05.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No