

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

-.-

CRM M 19548 of 2021

Date of decision: 18.05.2021

Bobby Singh

.....*Petitioner*

Versus

State of Punjab

.....*Respondent*

Coram: Hon'ble Mr. Justice Rajbir Sehrawat

-.-

In virtual Court

Present: Mr. Kamal Narula, Advocate
for the petitioner

-.-

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 43 dated 12.04.2021 registered under Sections 379-B, 323 and 34 of the Indian Penal Code at Police Station Guruharsahai, District Ferozepur.

It is submitted by counsel for the petitioner that case against the petitioner is totally concocted. Even as per story of the complainant; he is already known to the petitioner. Despite that, no motive has been attributed in the FIR as to why the petitioner would cause any injury to the complainant. Even otherwise, the alleged injuries are, undisputedly, simple in nature. The petitioner would join the investigation. There is a delay of

one day in lodging the FIR and this delay has been used by the complainant to concoct the story told in the FIR. It is also submitted that no other case is pending against the petitioner. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. P S Walia, AAG, Punjab accepts notice on behalf of the State.

Counsel for the State, being instructed by ASI Gurcharan Singh, submits that name of the petitioner is specifically mentioned in the FIR. The petitioner is alleged to have snatched the mobile phone from the complainant and the said mobile phone is yet to be recovered. Hence, the petitioner do not deserve any concession of anticipatory bail. Further, it is undisputed that there is a delay of one day in lodging the FIR. It is also not disputed that there is no other case against the petitioner.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bounds/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions, as provided under section 438 (2) Cr.P.C.

(Rajbir Sehrawat)
Judge

18.05.2021

Mohan Bimbura

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No