

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

CRM-M-36566-2021

Date of Decision : 06.09.2021

Gurjinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Avtar S. Khinda, Advocate
for the Petitioner.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 438 of the Code of Criminal Procedure seeking Anticipatory Bail on behalf of the Petitioner in case FIR No.86, dated 08.07.2021, registered under Sections 307, 326, 325, 324, 323, 427, 341, 379-B(2), 506, 148, 149 of the Indian Penal Code, at Police Station Fattudhinga, District Kapurthala.

2. Notice of motion.

3. On asking of the Court, Mr. B.S. Sewak, Addl. Advocate General, Punjab accepts notice on behalf of the Respondent/State. A copy of the paper-book be handed over to him during the course of the day.

4. Mr. Brijeshwar S. Bhalla, Advocate has put in appearance on behalf of the Complainant and filed his Power of Attorney, today in Court; Be kept on record.

5. Ld. Counsel for the Petitioner draws attention of the Court to the FIR in which the allegations against his Client are restricted to having

driven the Tractor belonging to Kuldeep Singh, Ex Sarpanch when the attacking party came to confront and attack the Complainant and Victim-Nishant Singh. No overt act of actual injury to either of the Victims is however attributed to the Petitioner.

6. Ld. State Counsel submits that the Tractor, in question, which the Petitioner was driving, and which according to the FIR was later taken over from him by Kuldeep Singh, Ex Sarpanch has since been recovered.

7. In such circumstances, this Court is of the opinion that custodial interrogation of the Petitioner is not called for at this stage. Accordingly, the Petitioner's prayer for Anticipatory Bail is allowed and in the event of arrest, he is ordered to be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/ Investigating Officer. However, he 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.

7. Disposed off.

September 06, 2021

Dpr

(SUDIP AHLUWALIA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No