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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 35781 of 2020 (O&M)
Decided on: 23.08.2021

Sandeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Gagandeep Toni, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.92 dated 13.09.2020 registered under Sections 323, 324, 452, 506, 148, 149 IPC and DDR No.21 dated 13.09.2020 registered under Sections 323, 324, 506 and 148 read with Section 149 of the Indian Penal Code, 1860 (for short 'the IPC') (Section 326 IPC added later) at Police Station Singh Bhagwantpur, District Rupnagar.

As per the office report, the complainant has been informed, however, there is no representation on his behalf.

The operative part of the order dated 16.12.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned Counsel for the petitioner has submitted that the petitioner got FIR No.92 dated 13.09.2020 registered under Sections 323, 324, 452, 506 and 148 read with Section 149 of the IPC at Police Station

CASE HEARD THROUGH VIDEO CONFERENCING

Singh Bhagwantpur, District Rupnagar against Husan Lal and others. After registration of the above-said FIR, the accused persons concocted a false and frivolous story and got DDR No.21 dated 13.09.2020 registered against the petitioner. Husan Lal and others attacked the petitioner and caused grievous injuries to him and the petitioner remained hospitalized for a number of days. DDR No.21 dated 13.09.2020 is a counter-blast. Representation was made to the SSP, Rupnagar for discharge of the petitioner in the DDR registered at the instance of the complainant-party. The petitioner is ready to join the investigation.

Learned Counsel for the complainant has filed his power of attorney in the Registry which is taken on record.

Learned State Counsel and learned Counsel for the complainant have submitted that the petitioner caused injuries to Husan Lal including grievous injury caused on his head with Kirpan. However, learned State Counsel and learned Counsel for the complainant seek time to file reply.

Adjourned to 16.02.2021....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 16.12.2020, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Sohan Lal, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 16.12.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

23.08.2021

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No