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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 39987 of 2020 (O&M)

Decided on: 27.08.2021

Iqbaljit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. G.S. Dhillon, 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.45 dated 08.03.2020, registered under Sections 452, 323, 506, 148 and 149 IPC and 25/27/54/59 of the Arms Act, at Police Station Jamalpur, District Ludhiana.

On 25.02.2021, on a voluntary undertaking given by the petitioner that he is ready to pay Rs.50,000/- to the victim as compensation towards his medical expenses, without prejudice to his right of defence, his arrest was stayed and it was directed that he will hand over a demand draft of Rs.50,000/-, favouring the victim Varinder Singh – respondent No.3.

The operative part of the order dated 25.02.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“....As per Office report, respondent Nos. 2 and 3 are served, however, there is no representation on their behalf.

Learned counsel for the petitioner, at the very outset, submits that petitioner is attributed an injury with an iron dah on the head of the victim, however, he is ready

CASE HEARD THROUGH VIDEO CONFERENCING

to pay a sum of Rs. 50,000/- to the victim as compensation towards his medical expenses, without prejudice to his right of defence.

List again on 03.05.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, 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.

However, this will be subject to a condition that petitioner will hand over a demand draft of Rs. 50,000/- to the Investigating Officer, favouring victim Varinder Singh/respondent No. 3, and the same will further be handed over to the said victim.

The payment of aforesaid amount by the petitioner shall not cause any prejudice to his right of defence....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 25.02.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

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

Counsel for the State has also submitted that the petitioner has handed over the demand draft of Rs.50,000/- favouring the victim.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 25.02.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)

JUDGE

27.08.2021

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Whether speaking/reasoned

Whether reportable:

Yes/No

Yes/No