

202-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.40982 of 2020 (O&M)

Decided on: 20.09.2021

Bittu @ Kuldeep Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. A.S. Khosa, 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. 251 dated 19.07.2020, registered under Sections 324/323/34 of the IPC (Section 326 IPC added later on) at Police Station Sadar Fazilka, District Fazilka.

The operative part of the order dated 08.12.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...A perusal of the paperbook shows that the petitioner relies upon order dated 02.12.2020 passed in CRM-M-39986-2020, which reads as under:

“Learned counsel for the petitioners submits that as per the allegations in the FIR, registered on the statement of Gouri Shankar, it is stated that when he was working in his fields, petitioners came there and caused injuries to him.

It is further submitted that injury, invoking Section 326 IPC, is attributed to co-accused Bittu.

Learned counsel further submits that without any

prejudice to their right of defence, the petitioners are ready to compensate the complainant for his medical expenses by paying an amount of Rs. 5,000/- each.

Notice of motion for 21.04.2021.

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

The petitioners will hand over Rs. 5,000/- each to Investigating Officer within a period of 30 days from today and the said amount will be further handed over to complainant Gouri Shankar.

The payment of aforesaid amount by petitioners to complainant shall not cause any prejudice to their right of defence.”

Notice of motion for 21.04.2021....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 08.12.2020, the petitioner has appeared before the Investigating Officer and has deposited the amount of Rs.15,000/-.

Counsel for the State, on instructions from ASI Ranjit Singh, 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 08.12.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

20.09.2021

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No