

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

203

CRM-M-44254-2020

Date of decision : 24.03.2021.

Yadvinder Singh @ Nikka

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vivek Singla, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Amaninderpreet, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in rapat No. 50 dated 18.3.2020, under Sections 324, 323, 148 and 149 IPC (Section 326 IPC added later on vide rapat No. 13 dated 10.7.2020) and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Jaitu, District Faridkot in FIR No.32 dated 16.03.2020, under Sections 302, 307, 324, 323, 148, 149 IPC and Section 25 of the Arms Act, registered at Police Station Jaitu, District Faridkot.

On 30.12.2020, a Coordinate Bench of this Court had passed the following order:-

“The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking anticipatory bail in cross version registered vide rapat No. 50 dated 18.3.2020, under Sections 324, 323, 148 and 149 IPC (Section 326 IPC added later on vide rapat No. 13 dated 10.7.2020) and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner submits that the FIR was registered by the petitioner pertaining to an incident resulting in death of his friend. Thereafter, the DDR was reported wherein it is

alleged that the petitioner had given a *kirch* blow on the hand. It is submitted that the injury is simple in nature. Parity is claimed with Gurmeet Singh @ Bitta, who has been granted interim bail by this Court on 2.12.2020 in CRM-M- No. 39717 of 2020.

Notice of motion.

Mr. Anil Mehta, Senior DAG, Punjab appearing on advance notice accepts the same.

Learned counsel for the State, on instructions from ASI-Baldev Singh, submits that the petitioner had given a *kirch* blow on the hand resulting in a simple injury. He is not in a position to dispute the parity of the petitioner with Gurmeet Singh @ Bitta.

Considering the aforesaid facts, the petitioner is granted interim bail subject to his joining investigation within one week from today. He shall be bound by the conditions under Section 438(2) Cr.P.C.

List on 24.3.2021.”

Learned State counsel, upon instructions from SI Harphool Singh, states that although the petitioner has joined investigation but *kirch* has to be recovered.

In view of the above especially when it is a cross case and the petitioner has joined investigation, the Covid-19 Pandemic, the order dated 30.12.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

March 24, 2021

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No