

210

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

CRM-M-39013-2019

Date of Decision: 19.08.2021

Jaskaran Singh Dhillon

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Gurpreet Singh Sandhu, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

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

[2] This petition is filed for grant of regular in F.I.R. No. 185, dated 20th August, 2019 under Sections 115 and 302 of the Indian Penal Code, 1860 [hereinafter 'IPC'] (Section 302 of IPC was deleted later on), registered at Police Station Civil Lines, Bathinda.

[3] On the basis of statement made by Head Constable Ranjit Singh for taking action against Jaskaran Singh Dhillon (petitioner) with regard to incident that took place on 17th August, 2019, F.I.R. No. 183, dated 17th August, 2019 under Sections 353/186/332/506 of IPC was registered at Police Station Civil Lines, Bathinda.

[4] The allegation against the petitioner was that he commented on a Facebook post with regard to police, hence F.I.R. was

registered. Initially Section 302 of IPC was invoked. Subsequently, on asking of this Court, how Section 302 of IPC was invoked, the Court was informed that the Section was added by mistake and action is being initiated against the defaulting officials. The petitioner was granted interim bail on 3rd December, 2019.

[5] Mr. Gurpreet Singh Sandhu, learned counsel for the petitioner submits that the petitioner was in custody and thereafter granted interim bail by this Court. The investigation is complete, no recovery is to be made.

[6] Ms. Monika Jalota, Deputy Advocate General, Punjab opposes the prayer for grant of bail and submits that allegations are serious. On instructions, she submits that challan stands presented.

[7] Considering the facts and circumstances in totality, especially that investigation is complete and no recovery is to be made, the petitioner is granted bail subject to his furnishing adequate bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[8] The petition is allowed.

[9] However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

19th August, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No