

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(201-1)

CRM-M-2376-2022

Date of decision: - 17.02.2022

Amit Kumar alias Meeta and another

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Puneet Kumar Bansal, Advocate,
for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to petitioner No.2 in case FIR No.59 dated 25.06.2018, under Sections 307, 324, 323, 341, 148, 149 and 427 IPC and Sections 25 and 27 of the Arms Act, registered at Police Station Cantt. Ferozepur, District Ferozepur.

On 21.01.2022, this Court was pleased to pass the following order:-

“Prayer in the present petition is for grant of anticipatory bail to the petitioners in FIR No.59 dated 25.06.2018 registered under Sections 307, 324, 323, 341, 148, 149, 427 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, at Police Station Cantt. Ferozepur, District Ferozepur.

The present petition has been filed by two petitioners i.e. Amit Kumar @ Meeta and Naveen.

FIR has been registered on the statement of one Ankush son of Subhash, as per whose version, the petitioner alongwith other persons had attacked and caused injuries to the complainant and Keshav. As many as three injuries were caused to the complainant and four injuries were suffered by Keshav. The attribution to petitioner No.1- Amit Kumar @ Meeta, is an injury with kappa on the left side of Keshav's head. The injury which has been attributed to petitioner No.2-Naveen is Kirpan blow on the right leg of Keshav. Since, injury attributed to petitioner No.1 is on the head which is a vital part, thus, the present petition for anticipatory bail qua petition No.1 is dismissed.

The injury which has been attributed to petitioner No.2 is on the right leg of Keshav and the present case is a case of version and cross-version, thus, as far as petitioner No.2 is concerned, notice of motion is issued in this case.

On asking of the Court, Mr. Sukhbeer Singh, AAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 17.02.2022.

In the meantime, in the event of arrest, petitioner No.2 shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, petitioner No.2 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.

To be heard alongwith CRM-M-54775-2021.”

Learned counsel for the petitioners has submitted that in pursuance of the above-said order, petitioner No.2 has joined the investigation.

Learned State counsel, on instructions from ASI Sukhdeep Singh, has submitted that petitioner No.2 has joined the investigation and is not required for further investigation.

Keeping in view the fact that petitioner No.2 has joined the investigation and is not required for further investigation, the present petition for grant of anticipatory bail to petitioner No.2 is allowed and the interim order dated 21.01.2022 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

February 17, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No