

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

201

**CRM-M-3785-2022
Date of decision: 13.07.2022**

BHINDER @ VICKY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present : Mr. Bharat Puri, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C., wherein the petitioner seeks the indulgence of anticipatory bail.

2. In FIR bearing No.66 of 20.05.2021, registered at Police Station Bhargo Camp, Jalandhar, offences constituted under Sections 307, 341, 323, 324, 148, 149 and 201 IPC, are embodied.

3. The incriminatory role as became assigned to the present bail petitioner, is that, he was a member of an un-lawful assembly, but the learned State Counsel, on instructions given to him by ASI Daljinder Lal submits, that except for his being a member of an un-lawful assembly, he did not cause any assault on the person of the

victim, rather he submits that a life endangering assault on the person of the victim, became committed by the principal accused, one Mukul, and, from whom, he submits that the relevant recovery has been effected.

4. Given the above, and also, when the learned State Counsel further submits, that the condition of the victim is completely stable. In consequence, and, when the learned State Counsel also submits, that during the course of the investigating officer concerned conducting, the investigations into the petition FIR, the bail petitioner has rendered his fullest co-operation to him, and, besides when no evidence is adduced before this Court by the prosecution, suggestive of the fact, that in the event of the petitioner, becoming admitted to anticipatory bail, there is every likelihood of his fleeing from justice, and, tampering with the prosecution evidence, therefore this Court becomes constrained to admit the present petitioner to anticipatory bail.

5. In nutshell, the instant petition is allowed, and, the order made by this Court on 31.01.2022, is made absolute subject to his rendering co-operation to the investigating officer concerned, and, his not influencing the prosecution witnesses, and, also his not tampering with the prosecution evidence.

6. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

13.07.2022
kavneet singh

(SURESHWAR THAKUR)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*