

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

CRM-M-5051-2022 (O&M)

Date of decision: 17.02.2022

Harinderjeet Singh @ Harinder Singh @ Hinda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Gursewak Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0010 dated 26.01.2022 registered under Sections 308, 323, 148, 149 IPC at Police Station City Rampura, District Bathinda.

The operative part of the order dated 08.02.2022, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned senior counsel for the petitioner has argued that as per the allegations in the FIR, registered on the statement of one Khushwas Singh that on 26.01.2021, he was a part of a debate held by RMB TV channel and he along with Balwant Singh, Gurdeep Singh, Mehraj, who are Congress Party worker were talking to each other, then, in the meantime, the petitioner along with other persons, named in the FIR, came in 02 vehicles, description of which are given in the FIR. The petitioner was holding an iron rod and he gave an iron rod blow on the head above the right eye, with an intention to kill. In the meantime, the co-accused Maninder Singh and Nirmal

Singh, caught hold of his both arms and the petitioner gave fist blows in his stomach.

Learned senior counsel for the petitioner has further submitted that though, as per the MLR there is a lacerated wound of 4 cm x 0.3 cm over the right side of the forehead, which is corresponding to the allegation in the FIR, however, the petitioner is contesting the election as an independent candidate and even, the Additional Sessions Judge, has granted 03 days time to file the nomination and now, he has to contest with the same. Learned senior counsel for the petitioner has further argued that the petitioner, in order to show his bona fide, will hand over a demand draft of Rs.1.00 lac favouring the victim Khushwas Singh, without prejudice to his right of defence.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State while Mr. Himmat Singh Deol, Advocate has appeared on behalf of the complainant.

Counsel for the State assisted by counsel for the complainant has however, submitted that as per the statement of the complainant and the eye-witnesses, it is the petitioner, who has caused the injury invoking Section 308 IPC.

Be whatsoever, considering the fact that the petitioner has volunteered to pay Rs.1.00 lac to the victim/injured, towards his medical expenses, I deem it appropriate to grant the concession of interim anticipatory bail to the petitioner, subject to the conditions envisaged under Section 438(2) Cr.P.C.

List again on 17.02.2022.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 08.02.2022, has already appeared before the

SHO/Investigating Officer and has joined the investigation. It is further submitted that petitioner has also paid the amount of Rs. 1 lac to the said victim.

Learned counsel for the State, on instructions from SI Gurjant Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 08.02.2022, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

17.02.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No