

205-A

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23931-2021

Date of Decision: 15.02.2022

Balwinder SinghPetitioner

Versus

State of Punjab..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...
(through video conferencing)

Present: Mr. Balbir Kumar Saini, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

...

MANJARI NEHRU KAUL, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.59 dated 15.05.2021 under Sections 323, 354-B, 506, 34 IPC registered at Police Station Chabbewal, District Hoshiarpur.

Learned counsel for the petitioner contends that a false case has been planted upon the petitioner on account of a dispute between the parties with respect to some land. He submits that the complainant party had been extending threats to the petitioner of implicating him in false case and it was in the aforementioned background, the instant case had been registered against him. He further submits that on account of the threats extended by the complainant to the petitioner, he immediately made a representation dated 10.05.2021 (Annexure P-1) to SSP, Hoshiarpur against the complainant. He further submits that the FIR in question was got registered thereafter on 15.05.2021 wherein false allegations had

complainant and also indulging in inappropriate behaviour with her and her daughter. While inviting the attention of this Court to the MLR of the complainant, learned counsel submits that it is very evident that had the complainant actually been run over by the tractor as alleged, she would have received much more serious injuries and not escaped with simple injuries which find reflected in her MLR. Learned counsel submits that in compliance of order dated 24.08.2021 the petitioner had joined investigation and cooperated with the investigating agency. Therefore, the present petition be allowed.

Learned counsel for the State, on instructions from ASI Paramjit Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigation agency. He submits that the petitioner is not required for further investigation much less for his custodial interrogation.

I have heard the learned counsel.

In the wake of the statement made by the learned State counsel, the instant petition is allowed and order dated 24.08.2021 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

15.02.2022
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No