

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

211

CRM-M-49771-2021

Date of Decision:08.03.2022

RAJINDER SINGH ALIAS RAJU

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: None for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.113 dated 07.09.2021, registered under Sections 354/323 of IPC, 1860, at Police Station City Rampura, District Bathinda, Annexure P-1.

As per the case of the prosecution, FIR, Annexure P-1, has been registered on the statement of Soma Devi on the allegation that on 05.09.2021, when she was returning home at about 02.00 PM, she saw that her 14 years old son was being physically assaulted by Raju (present petitioner), who was in inebriated condition and was dragging him from his neck. She intervened and tried to save her son, but Raju inflicted injuries on her, dragged her, tore her clothes and inflicted injuries on her.

While issuing notice of motion, this Court vide order dated 29.11.2021 granted interim protection to the petitioner. The order is reproduced hereunder:-

“Heard through video conferencing.

Counsel for the petitioner urges that the allegation against the petitioner is of physically assaulting the complainant, hitting her with a stick and dragging her, which resulted in her clothes being torn. Counsel submits that the petitioner has been falsely framed in this case and he was not present at the spot. He submits that the grievous injury attributed to the petitioner is a fracture of little finger of the complainant.

Notice of motion.

On asking of the Court, Mr. K.S. Aulakh, DAG, Punjab, accepts notice on behalf of the respondent- State. He seeks and is granted time to file the status report.

List on 08.03.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Upon instructions from ASI Jagtar Singh, State counsel submits that the petitioner has joined the investigation, he is no longer required for custodial interrogation and he is not involved in any other criminal case.

In view of the said facts, the present petition is allowed and the order dated 29.11.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

08.03.2022
sheetal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No