

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-25358-2023

Date of Decision:01.06.2023

Tanush Singh Lalotra @ Tanish Thakur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vishal Munjal, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.120 dated 24.07.2022 registered under Sections 308/323/427/148/149 of the IPC (Section 325 of the IPC added later on) registered at Police Station Division No.2, District Pathankot.

2. Short reply by way of an affidavit of Shri Harkamalpreet Singh Khakh, PPS, Senior Superintendent of Police, District Pathankot in compliance of the order dated 29.05.2023 has been filed, as per which nothing was concealed on the part of the prosecution regarding the real identity of co-accused Raman Singh.

3. Along with the reply, a copy of status report which had been filed by respondent-State in CRM-M-9492-2023 titled as 'Raman Singh Vs. State of Punjab' is also annexed, in para No.2 of which it is revealed that petitioner Raman Singh @ Gaurav Thakur had chased the complainant along with other accused. It appears that either there was a mistake on the part of the State counsel in not informing the Court that co-accused Raman Singh was also known as Gaurav Thakur and it is because of this reason that it was

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noticed by this Court in its order dated 22.02.2023, while granting bail to co-accused Raman Singh that petitioner was not named in the FIR.

4. Be that as it may, the case of present petitioner Tanush Singh Lalotra is on the same footing as that of Raman @ Gaurav Thakur. Although petitioner is named in the FIR, who had chased the injured along with co-accused Ayush @ Ansh but specific injury is attributed only to Ansh Katal. MLR placed on file along with the police report reveals 4 injuries on the person of the injured but there is no allegation that any of the injury is attributed specifically to the petitioner.

5. Having regard to the aforesaid facts and circumstances, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

6. Disposed of.

June 01, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGEWhether Speaking/reasoned
Whether ReportableYes/No
Yes/No