

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

CRM-M-31111-2023

Date of Decision: 25.07.2023

Ravi alias Baba Ravi Gautam

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Neetu Singh Aashat, Advocate
for the petitioner.

Mr. Amish Sharma, Assistant Advocate General, Punjab.

Mr. Paras Jagga, Advocate, for the complainant.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 438 of the Cr.P.C. with a prayer to grant a anticipatory bail to him in case FIR No.150 dated 10.04.2023 registered under Section 324, 341, 506, 148, 149, 325, 326 of IPC at Police Station Division No.7, District Ludhiana.

Learned counsel for the petitioner contends that even though the petitioner has been named in the present FIR, but no specific injury has been attributed to him. Learned counsel further contends that it is a case of version and cross-version and the question of aggressor is yet to be decided by the learned trial Court. Even both the sides had suffered injuries in the said occurrence. She further contends that the custodial interrogation of the petitioner will serve no meaningful purpose.

On the other hand, learned State counsel, on instructions from ASI Jagdish Kumar, has vehemently opposed the prayer made by the present petitioner for grant of concession of pre-arrest bail on the ground that there is CCTV footage of the occurrence, in which the presence of the present petitioner can be noticed. He further contends that the offence under Section 326 IPC has been added, however, it is not in dispute that the said injuries are not attributed to the present petitioner.

I have heard learned counsel for the parties and perused the record.

Without commenting on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C.

It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

25.07.2023

hemlata

(N.S.SHEKHAWAT)
JUDGE

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