

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

216-A

CRM-M-36733-2023 (O&M)
Date of decision: 31.08.2023

Rohit Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Akhilesh Vyas, Advocate for the petitioner.

Mr. C.L. Pawar, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.43 dated 06.03.2023, registered under Sections 323, 341, 379-B(2), 506, 148 and 149 IPC and Section 325 IPC (added later on), at Police Station Ajnala, District Amritsar Rural.
2. Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the alleged injury with the handle of Spade(*kasi*) on the head of injured, namely, Charanjit Singh, has been attributed to the petitioner and that co-accused, namely, Karan Gandhi, who has been attributed a baseball bat injury, has already been granted the concession of anticipatory bail by a Coordinate Bench of this Court, vide order dated 11.07.2023.

3. Learned State counsel, on instructions from ASI Ranjodh Singh, submits that the injury attributed to the petitioner on the head of injured-Charanjit Singh, entails the offence under Section 325 IPC.
4. Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds merit in this petition and the same is allowed. The petitioner is directed to join the investigation as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.
5. It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

(HARNARESH SINGH GILL)
JUDGE

31.08.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No