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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM M - 40773-2023
Date of decision: 21.08.2023*Manwinder Singh alias Manu**.....Petitioner**Versus**State of Punjab**.....Respondent***Coram: Hon'ble Mr. Justice Rajbir Sehrawat**Present: Ms Ramandeep Kaur, Advocate for
Mr. Varinder Basa, Advocate
for the petitioner

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Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory bail to the petitioner in case FIR No. 176 dated 19.12.2022, registered under Sections 323, 324, 341, 427, 148, 149 of the Indian Penal Code, at Police Station Dera Baba Nanak, District Batala, Gurdaspur, Punjab (Annexure P-1).

It is submitted by counsel for the petitioner that the case against the petitioner is totally false, frivolous and concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, all the injuries involved in the case are simple in nature. There is no other case against the petitioner. The petitioner shall join the investigation as and when called by the police. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab

accepts the notice on behalf of the respondent - State.

Counsel for the State, being assisted by ASI Kulwinder Singh, Police Station Dera Baba Nank, Batala, Gurdaspur has submitted that the petitioner is one of the assailants, who attacked the complainant and his family. The investigation is at the initial stage. Therefore, the police would require the custodial interrogation of the petitioner. However, it is not disputed that all the injuries, which are allegedly caused in the present case are of simple in nature.

In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

(Rajbir Sehrawat)
Judge

August 21, 2023

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