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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM M - 48322-2023
Date of decision: 25.09.2023*Ram Singh alias Ram alias Jagtar Singh**.....Petitioner**Versus**State of Punjab**.....Respondent***Coram: Hon'ble Mr. Justice Rajbir Sehrawat**

Present: Mr. Balkarn Singh Aulakh, 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/pre-arrest bail to the petitioner in case FIR No. 07 dated 20.01.2023, registered under Sections 307, 427, 324, 148, 149 of the Indian Penal Code, at Police Station City Kotakpura, District Faridkot (Annexure P-1).

It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, the only allegation against the petitioner is of causing injury on the right leg of the complainant with a wooden plank. Even, as per the medico legal report of the complainant, the said injury has been declared as simple in nature. There is no other case against the petitioner. The petitioner shall join the investigation as and when called by the Police. Therefore, 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 Gurmail Singh has submitted that the petitioner has been named as one of the participants of a group of persons who had caused injuries to the complainant. However, it is not disputed that as per the medico legal report of the complainant, the injury attributed to the petitioner is simple in nature, and that too, on a non-vital part of the complainant. It is also not disputed that there is no case against the petitioner.

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

25.09.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No