

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

CRM-M-1343-2024

Date of Decision: 16.01.2024

Pardeep Singh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Ms. Sukhveer Kaur, Advocate, for the petitioner.

Mr. M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. Short reply by way of an affidavit of Deputy Superintendent of Police, Sub-Division Sri Hargobindpur, Police District Batala has been filed on behalf of the respondent-State in Court today and the same is taken on record.

2. The petitioner has filed the present petition under Section 438 of Cr.P.C., with a prayer to grant anticipatory bail to him in case FIR No.0129 dated 03.12.2023, registered under Sections 452, 326, 324, 323, 506, 148, 149 of IPC, at Police Station Ghuman, District Batala.

2. Learned counsel for the petitioner contends that as per the case of the prosecution, it has been alleged that the petitioner had caused an injury with a *datar* on the right leg of the complainant-Sanjeev Kumar and the said injury has been declared to be simple in nature. She further contends that the grievous injury is attributed to Baljeet Singh@ Sonu, non-applicant. She further contends that a civil dispute relating to the plot is pending between the parties and due to the said civil dispute, the petitioner has been falsely involved in the present

case.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner was part of unlawful assembly, which had caused serious injuries on the person of Sanjeev Kumar, co-accused. However, he could not dispute the factual submissions made by learned counsel for the petitioner.

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

5. As per story of the prosecution, the petitioner had caused an injury with a datar on the right leg of the complainant, which has been declared to be simple in nature. The petitioner is ready to join the investigation in the present case.

6. Without commenting any further 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.

(N.S.SHEKHAWAT)
JUDGE

16.01.2024
hemlata

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