

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

CRM-M-9582-2024

Date of Decision: 28.02.2024

Vishal Kumar

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Lakshay Bector, Advocate
for the petitioner.

Ms. Amrita Garg, Additional Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. 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.111 dated 28.12.2023, registered under Sections 381, 323, 324, 427, 506, 148, 149 of IPC (Sections 201, 326 IPC added later on), at Police Station Division No.1, Ludhiana.

2. Learned counsel for the petitioner contends that the petitioner has not been named in the FIR nor any overt act/injury has been attributed to him. Learned counsel further contends that the petitioner has been falsely involved in the present case only on the basis of the disclosure statement suffered by co-accused. He further contends that in fact, the parties were already inimical towards each other and due to the said reason, the petitioner has been falsely involved. Learned counsel further contends that co-accused, Ranjit Singh and Pargat Singh @ Sunny, to whom specific role has been assigned, have been

granted the concession of anticipatory bail by this Court, vide order of even date.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner.

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

5. In the present case, it is an admitted fact that the petitioner was not named in the FIR and the case of the petitioner is on better footing then Ranjit Singh and Pargat Singh @ Sunny. Consequently, the present petition is allowed and 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.

28.02.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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