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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33386-2024 (O&M)

Date of Decision:- 03.09.2024

RAVINDER BUTTAR @ RAVINDER SINGH @ RAVIPetitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ishan Gupta, Advocate
for petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

CRM-35497-2024

This is an application under Section 528 of BNSS to add offence under Sections 427 and 201 IPC in the head note of the petition.

Learned counsel for applicant submits that due to typographical error the aforesaid offences could not be added in the head note of the main petition whereas it was very well mentioned in prayer clause.

Learned state counsel has no objection to the application being allowed.

Considering the aforesaid submissions, application is allowed. Registry is directed to make necessary changes in the head note of the instant petition as prayed for in the instant application.

**CRM-M-33386-2024**

1. Petitioner – Ravinder Buttar @ Ravinder Singh @ Ravi has filed instant petition under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.100 dated 07.09.2016 under Sections 452, 323, 148, 149 IPC as well as subsequently added Sections 308, 325, 427 and 201 IPC registered at Police Station Gidderbaha, District Sri Muktsar Sahib.

2. As per the facts of the case Deepak Tak complainant gave his statement that on 05.09.2016 at about 4 pm his father Laddu Ram was putting soil on the roof of the house. He along with his mother was helping him. In the meantime Rimpi with gandas, Sandeep @ Fattu armed with iron rod, Gagli armed with kirpan, Golu armed with baseball bat,, Rashpal armed with kirpan, Rommy armed with baseball bat along with 14-15 persons entered his house. Rammy started arguments with his father. In the meantime, Sandeep @ Fattu gave iron rod blow on the head of his father and started beating him. Rommi gave gandas blow which hit on the back side of head of his father. They started raising alarm for help and on this all the assailants ran away with their respective weapons.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. Earlier he was granted anticipatory bail by learned Court of Sessions vide order dated 03.03.2017 under Sections 452, 323 and 149 IPC. Offences under Sections 308, 325, 427 and 201 were added subsequently. Apprehending arrest, he filed second application for grant of anticipatory bail and he was again granted interim relief. Due to miscommunication of date by his counsel he could not join the investigation and his anticipatory bail was dismissed. Investigation is already complete. Challan is also presented. He is ready to join



investigation and abide by the terms of bail order. Therefore, his anticipatory bail may be allowed.

4. Status report is filed. It is argued that petitioner was granted anticipatory bail with the direction to join investigation but he did not join as a result his anticipatory bail was declined. However, it is argued that challan is already presented and no further investigation is to be carried out. Petitioner is required only for the purpose of joining investigation.

5. I have considered the arguments and have gone through the record. It is not disputed that initially petitioner was granted anticipatory bail to join investigation which was later-on confirmed. Copies of orders are Annexure P-2 and P-3. Copy of challan report is Annexure P-4 according to which offence under Sections 308 and 325 of IPC were added. Petitioner again applied for anticipatory bail and he was granted interim relief vide order dated 30.05.2024 (Annexure P-5). Since he did not join the investigation anticipatory bail was declined vide order dated 07.06.2024 (Annexure P-6). It is alleged that due to non-communication of date, petitioner could not join investigation. Challan is already presented. He is not required for further investigation. Petitioner is only required to join investigation formally and face trial on addition of offence under Sections 308, 325, 427 and 201 IPC.

6. Considering the factual position, anticipatory bail application filed by present petitioner Ravinder Buttar @ Ravinder Singh @ Ravi is allowed and granted anticipatory bail under Sections 308, 325, 427 and 201 IPC with the directions that he be not arrested and in case he surrenders before the trial Court, he be released on bail to the satisfaction of trial Court within two weeks.



7. My observations are made for the disposal of this petition and it will have no bearing on the merits of case.
8. Pending miscellaneous application(s), if any, stand disposed of accordingly.

03.09.2024
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(AMARJOT BHATTI)
JUDGE

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