

2024:PHHC:017717

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

206

**CRM-M-57833-2023
Date of Decision : 08.02.2024**

BAGA SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

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

Mr. Digvijay Nagpal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On 17.11.2023, the following order was passed by this
Court:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.142 dated 19.08.2023, under Sections 341, 323, 325, 379, 34 of the IPC, registered at P.S. Majitha, District Amritsar Rural.

2. The allegations, as recorded in the order dated 09.10.2023, passed by the learned Additional Sessions Judge, Amritsar, whereby, bail was declined to the petitioner, are extracted hereinafter:-

“On 4.8.2023, at about 7:00 a.m., the complainant Dalbir Singh alongwith Harmeet Singh and Nihal Singh was going towards Sangatpur on his Bollero car bearing no. PB02-DZ4798. The car was being driven Harmeet Singh and when they were a little away from railway bridge Bhangwan, Rajwinder Singh alias Raja armed with dattar, Akashdeep Singh armed with brick-bat who were on motor-cycle make splendor, Baga Singh armed with dattar and an unknown person to whom he can identify armed with Dasti Kahi who were riding on a Pulsar motor-cycle came there and stopped their car. Baga Singh raised lalkara to catch them and to teach them a lesson for confiscating their liquor. It is further alleged that when the complainant alighted from the car, Akashdeep Singh gave him brick-bat blow on his left thigh. Rajwinder Singh gave him dattar blow on his left elbow. The unknown person slapped driver Harmeet Singh. While leaving, they took away the silver chain of Rajwinder Singh alias Raja. The complainant raised raula, Mar Dita, Mar Dita and upon this, all the assailants ran away from the spot.”

- 3. The learned counsel for the petitioner submits that the injury attracting commission of offence under Section 325 of the IPC is attributed to one Rajwinder Singh @ Raja, besides the allegation qua snatching of chain is also attributed to him. He further submits that, as per allegations, the petitioner has only inflicted simple injury(ies) to the complainant and he is not involved in any other case.
- 4. At this stage, Mr. Karunesh Kaushal, A.A.G, Punjab, on instructions imparted to him by ASI Bikramjit Singh, intimates this Court that the main accused Rajwinder Singh @ Raja has been arrested in the instant FIR and he is behind the bars.
- 5. Considering the fact that the petitioner has been attributed only simple injury(ies), besides the fact that he is not involved in any other case, this Court deems it appropriate to, at this stage, grant the asked for relief.
- 6. Notice of motion for 08.02.2024.
- 7. Mr. Karunesh Kaushal, A.A.G, Punjab, accepts notice on behalf of State of Punjab.
- 8. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

- 2. Learned State counsel, on instructions, submits that the petitioner has already joined the investigation in pursuance to the aforesaid order, and he has fully co-operated with the investigation process, and is no more required for any further custodial investigation.
- 3. In view of the specific stand taken by the learned State counsel, the present petition is allowed, and order dated 17.11.2023 is, hereby, made absolute on the same terms and conditions.

February 08, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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