

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-62322-2023
Date of Decision:25.04.2024

Rashpal Singh
Vs.
State of Punjab

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

On 12.12.2023, following order was passed by this Court:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.94 dated 17.07.2023 registered under Sections 452, 323, 148, 149, 506 of the IPC registered at Police Station Sadar Jalalabad, District Fazilka.

It is contended by learned counsel for the petitioner that except Section 452 of the IPC, rest of the offences are bailable. Learned counsel further contends that no serious injury has been attributed as petitioner is alleged to be only armed with sota.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of respondent- State.

Let status report be filed by specifying the number of injuries caused to the complainant and other injured. Copy of MLR of injured be also produced.

Adjourned to 20.12.2023. ”

Today fresh status report by way of an affidavit of Shri Achhru

CRM-M-62322-2023

Ram Sharma, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad along with copy of MLR has been filed on behalf of respondent-State. Learned State counsel submits that as per the statement of Parveen Kaur, the only attribution to the petitioner is to have given blows on the left ear and back of Parveen Kaur and to have beaten her. Learned State counsel concedes that this will attract Section 323 of the IPC, only.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, present petition is hereby accepted.

In case of arrest, the petitioner shall be released on bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

Disposed of.

April 25, 2024
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No