

(2021) 03 P&H CK 0257

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous Petition (M) No. 11109 Of 2021

Kunal

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision: March 22, 2021

Acts Referred:

- Indian Penal Code, 1860 - Section 148, 149, 307, 323, 324, 325, 326
- Arms Act, 1959 - Section 25, 27
- Code Of Criminal Procedure, 1973 - Section 438(2)

Hon'ble Judges: Anupinder Singh Grewal, J

Bench: Single Bench

Advocate: Gursimran Singh Bawa, Dhruv Dayal, Gagandeep Singh, Amandeep Singh
Manaise

Final Decision: Disposed Of

Judgement

Anupinder Singh Grewal, J

The petitioner is seeking anticipatory bail in FIR No. 03 dated 07.01.2021, under Sections 307, 323, 324, 148 and 149 of the Indian Penal Code, 1860

(â€~IPCâ€™ - for short) (Sections 326 and 325 IPC added subsequently), besides Section 25 and 27 of the Arms Act, 1959, registered at Police

Station City Batala, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner was unarmed and has been attributed fist and kick blows to the injured. He also

contends that the injuries for which offence punishable under Sections 326 and 307 IPC has been invoked are not attributed to the petitioner. He

further contends that the petitioner is 19 years of age and does not have criminal antecedents.

Learned counsel for the complainant contends that in view of the serious allegations against the petitioner, he is not entitled to the concession of anticipatory bail.

This Court, by order dated 10.03.2021 had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event

of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions

envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Sukhdev Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 10.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.