

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.M-M No.10691-2015 (O&M)
Date of Decision : 07.09.2015

Sweety Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Naveen Sharma, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

On 06.04.2015 the following order was passed :-

"The instant petition has been filed under Section 438 of the Criminal Procedure Code seeking the concession of pre-arrest bail to the petitioner in case FIR No.179 dated 17.08.2013, under Sections 307/324/323/34 of the Indian Penal Code, registered at Police Dakha, District Ludhiana.

Counsel would submit that during the course of investigation, the petitioner has been found innocent and his name has been mentioned in column 2 of the final investigation report and it is only thereafter upon an application having been filed under Section 319 of the Criminal Procedure Code that the petitioner has been summoned as an additional accused. Counsel

further submits that the petitioner is ready and willing to join trial proceedings.

Notice of motion, returnable for 14.05.2015.

In the eventuality of the petitioner joining trial proceedings on the date already fixed i.e. 15.04.2015, he would be entitled to ad interim protections as regards arrest subject to the satisfaction of the trial Court."

Learned Additional Advocate General on instructions from Head Constable Sukhdev Singh has stated that pursuant to the interim order dated 06.04.2015 the petitioner has joined the investigation and he is no more required for custodial interrogation.

In view of the facts and circumstances of the case, without going into the merits of the case, I deem it appropriate to grant the concession of anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 06.04.2015 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

07.09.2015

Pooja Sharma-I