

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

**CRM-M-13954 of 2015
Date of decision : 16.07.2015**

Udham Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Ashok Giri, Advocate
for the petitioner.

Mr.Jashanpreet, AAG, Punjab.

DARSHAN SINGH,J(Oral)

1. The present petition has been filed by petitioner Udham Singh, under Section 438 Cr.P.C for grant of the anticipatory bail in case FIR No. 80 dated 01.07.2014, under Sections 307, 452, 323, 324, 325, 506, 148, 149 of Indian Penal Code (Section 307 deleted subsequently, Section 120-B added subsequently), registered at Police Station Nurpur Bedi, District Rupnagar.

2. On 06.05.2015, the following order was passed:-

“Contentends that the petitioner is not named in the

FIR. Besides, persons similarly situated as the petitioner have already been granted the concession of pre-arrest bail. The observations of the learned trial court that three minors were injured along with others would be of no consequence as the assailants who caused the injuries have been specifically named. The petitioner is alleged to be the person who was standing outside the shop.

Notice of motion for 16.7.2015.

In the meantime, the arrest of the petitioner shall remain stayed subject to the following conditions :-

- i) He will make himself available for investigation as and when required to do so.
- ii) He will not leave the country without the prior permission of the Court.
- iii) He will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police official.”

3. Learned counsel for the petitioner pleads that petitioner Udham Singh was not named in the FIR and no injury has been attributed to him. He further contended that the concession of the anticipatory bail has already been granted by this Court to co-accused namely Balbir Singh and Gurpreet Singh @ Banti against whom there are also similar allegations. He also deserves the similar concession

on the principle of parity.

4. Learned State counsel on the instructions of ASI Vijay Kumar, Police Station Nurpur Bedi, District Rupnagar states that the petitioner has already joined the investigation and has been sufficiently interrogated and is no longer required for the purpose of investigation.

5. Thus, as the petitioner has already joined the investigation, he is not required for any custodial interrogation. No injury has been attributed to him. Co-accused namely Balbir Singh and Gurpreet Singh @ Banti have already been granted the concession of the anticipatory bail. The present petitioner also deserve the similar concession on the principle of parity.

6. So, the present petition is hereby allowed and the order of interim anticipatory bail dated 06.05.2015 is hereby made absolute subject to the conditions as provided under Section 438(2) Code of Criminal Procedure, 1973.

16.07.2015

s.khan

**(DARSHAN SINGH)
JUDGE**