

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

CRM-M NO.14813 OF 2015

Decided on: 30.07.2015

Brigadier Khushwant Singh . . . Petitioner

Versus

State of Punjab . . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. A.P.S. Deol, Senior Advocate with
Mr. A.S. Brar, Advocate
for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case FIR No.37 dated 12.04.2015, under Sections 279, 304-A IPC (offences under Sections 337, 338, 304 IPC added later on), registered at Police Station, Balachaur, District S.B.S. Nagar.

On 15.05.2015, following order was passed by this Court:-

“Counsel would inter alia contend that the F.I.R was initially registered under sections 279, 304-A and the offences under sections 337, 338, 304 I.P.C have

been added subsequently on the basis of statements of Mangat Ram and Dharam Chand recorded three days after the date of accident and there has been a clear improvement in the version.

List on 30.7.2015.

In the meanwhile, petitioner is directed to join investigation and to appear before the I.O on 25.5.2015.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Harjinder Singh, would apprise the Court that the petitioner has joined the investigation and even vehicle in question has since been recovered.

Under such circumstances, custodial interrogation of the petitioner would not be warranted. Present petition is, accordingly, allowed. Order dated 15.05.2015, passed by this Court, is made absolute.

Disposed of.

[TEJINDER SINGH DHINDSA]
JUDGE

30.07.2015
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