

CRM No. M-16578-2015

Date of decision:- July 28, 2015

Harinder Singh @ Bhola

.....Petitioner..

Vs.

State of Punjab

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Sandeep Arora, Advocate
for the petitioner.Mr. Deepak Garg, AAG, Punjab
for the respondent-State.

JASPAL SINGH, J.

The present petition has been preferred by Harinder Singh @ Bhola-petitioner, under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail, feeling apprehension of his arrest, in case bearing FIR No. 50 dated 28.04.2015, under Sections 295-A, 323, 324 and 34 IPC registered at Police Station Dhariwal, District Gurdaspur.

While issuing notice of motion, following order was passed:-

Learned counsel for the petitioner, inter-alia, contends that there is internal factionism in the village due to which Karam Singh son of Surat Singh appears to have been removed from the school management committee. He suspected that the petitioner is behind his removal, who is a teacher by profession in the village. Karam Singh got registered a false case. In fact, petitioner is nothing to do with this case. No such occurrence also did take place.

Notice of motion for 28.7.2015.

In the meantime, in the event of arrest the petitioner shall be released on interim bail to the satisfaction of the Investigating Officer. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the other conditions as envisaged under Section 438 (2) of the Code of Criminal Procedure”.

At the very outset of the arguments, on instructions from ASI Malkiat Singh, learned State counsel has submitted that in compliance of the order dated May 20, 2015, petitioner has already joined the investigation and is no more required for further investigation.

In view of the facts narrated above but without expressing any opinion on the merits of the case, this Court is of the opinion that case is made out to exercise the discretion envisaged under Section 438(2) Cr.P.C. Hence, order dated *May 20, 2015*, is made absolute.

(JASPAL SINGH)
JUDGE

July 28, 2015
m. sharma