

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18880-2015 (O & M)
Date of decision:21.12.2015

Rocky @ Lalu and anr.

...Petitioner(s)

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Arnav Sood, Advocate,
for the petitioner(s).

Mr. Shilesh Gupta, Addl.A.G., Punjab.

Rajan Gupta, J. (oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail to petitioners in a case registered against them vide FIR No.67 dated 09.05.2015 under Sections 307, 427 and 34 IPC at Police Station Kurali, District SAS Nagar.

Admittedly, petitioner No.2 was driving the vehicle which hit the tempo of the injured from behind and caused serious spinal injuries. Learned counsel for the petitioners submits that he may be allowed to withdraw this petition in respect of petitioner No.2 with liberty to him to surrender before trial court/investigation agency within two weeks from today.

Learned counsel further contends that only role attributed to the petitioner No.1 is that he was accompanying petitioner No.2 but no overt act is attributed to him. Admittedly, petitioner No.1 has already joined the investigation pursuant to order dated November 26, 2015.

Learned State counsel on instructions from SI Harbhajan

Singh submits that pursuant to order dated November 26, 2015, petitioner No.1 has joined the investigation and is no longer required for custodial interrogation.

In view of the statement made by learned State counsel, the interim order dated June 02, 2015, is hereby made absolute qua petitioner No.1, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, this petition is dismissed as withdrawn qua petitioner No.2 with liberty as prayed for.

21.12.2015

sukhpreet

**(RAJAN GUPTA)
JUDGE**