

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

Crl.Misc.No.M-21922 of 2015(O&M)

Date of Decision : 27.07.2015

Gurbhej Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.J.S.Ghuman, Advocate for the petitioner

Mr. P.J.S.Hundal, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of pre-arrest bail in terms of Section 438 Cr.P.C in case FIR no. 22 dated 22.4.2015 registered under Sections 323, 307, 342, 365, 295, 382, 506, 148, 149 IPC at P.S. Talwandi Chaudhrian, District Kapurthala.

It is contended by the learned counsel for the petitioner that no offence under Section 307 IPC is made out there being no MLR which would render the applicability of such an offence suspect. It is further contended that FIR was lodged after a huge delay.

Noticing the aforesaid facts and also the fact that co-accused of the petitioner has already been granted similar benefit in CRM no.M-20408 of 2015, this Court had granted interim protection to the petitioner vide its order dated 13.7.2015 subject to the compliance of Section 438(2) Cr.P.C.

The petitioner has since joined investigation to the satisfaction of the Investigating Officer which fact is not controverted by the learned State counsel on instructions from ASI Paramjit Singh.

Thus, without commenting upon the merits of the case but noticing the fact that the petitioner has joined the investigation to the satisfaction of the Investigating Officer, instant petition is accepted. Interim directions dated 13.7.2015 are hereby made absolute, however subject to the condition that the petitioner continues to comply with the provisions of Section 438(2) Cr.P.C.

July 27, 2015
rekha

(Mahesh Grover)
Judge