

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-2264-2015

Date of decision: 16.07.2015

Joga

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Sandeep K. Sharma, Advocate for the petitioner.

Mr. Gazi Mohd., DAG, Punjab.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in FIR No. 116 dated 05.10.2014 registered under Sections 307/324/323/452/148/149 of the Indian Penal Code (IPC) and Sections 325 and 326 IPC (added later on vide DDR No. 07 dated 01.11.2014) at Police Station Kartarpur, District Jalandhar.

When this case was listed on 30.01.2015, following order was passed:-

Learned counsel for the petitioner has submitted that co-accused Amarjit Singh has been allowed concession of anticipatory bail vide CRM M-39712 of 2014. He has further submitted that no injury has been attributed to the petitioner.

Notice of motion for 7.4.2015.

In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Officer subject to the conditions envisaged under Section 438 (2) Cr.P.C and on joining the investigation.”.

On instructions from ASI Injderjeet Singh, learned State counsel submits that petitioner has joined the investigation and he is no more required for further interrogation. The petitioner was empty handed and had not been attributed any injury. Learned State counsel further submits that supplementary challan against the petitioner has already been presented before the Committing Magistrate on 27.03.2015. It is also submitted that even the original challan presented against rest of the accused is pending for commitment.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the interim bail granted to the petitioner vide order dated 30.01.2015 is made absolute subject to the condition that in case the petitioner has not already furnished bail bonds in the Court so far, he shall appear before the Committing Magistrate, within ten days from today and furnish regular bail bonds to the satisfaction of Committing Magistrate as supplementary challan has already been presented.

In case, petitioner fails to do so, the concession granted to him by this order shall automatically stand vacated.

July 16, 2015
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(R.P. NAGRATH)
JUDGE