

CRM No. M-24352 of 2015
DECIDED ON: AUGUST 06, 2015

RAJU @ JAGPAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Athwal, Advocate for the petitioner.

Mr. Deepak Garg, AAG, Punjab.

JASPAL SINGH, J (ORAL)

Instant petition has been filed under Section 438 Cr.P.C seeking pre-arrest bail to petitioner in case FIR No. 47 dated 19.05.2015 under Sections 308, 325, 323, 341, 506, 148 and 149 IPC (subsequently Section 307 IPC has been added on 15.07.2015) registered at Police Station Bassi Pathanan, District Fatehgarh Sahib.

2. While issuing notice of motion on July 29, 2015, following order was passed:

"It has been inter-alia contended by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He was not present at the time and place of occurrence. It has further been stressed that though occurrence is alleged to have taken place on May 15, 2015 in the evening but injured has been medico-legally examined in Max Hospital, Ropar on May 16, 2015 at 9.30 PM wherein, duration of injuries has been depicted within 6 hours.

It has further been contended by learned counsel for the petitioner that in fact, complainant sustained injuries in a road side accident. Since an animosity has been existing between the complainant and petitioner, petitioner has been falsely roped in, in the instant case.

Notice of motion for 06.08.2015.

In the meantime, in the event of arrest, 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.

3. Learned State counsel, on instructions from HC Kamaljeet Singh submits that in compliance of order dated July 29, 2015 petitioner has joined investigation on August 02, 2015 and he is not required for further interrogation. Even, otherwise investigation has already been completed in this case and report under Section 173 (2) Cr.P.C has also been presented.

4. In view of above, order dated July 29, 2015 is made absolute.

5. However, petitioner shall abide by all the terms and conditions as envisaged under Section 438 (2) Cr.P.C.

AUGUST 06, 2015
SHAM

(JASPAL SINGH)
JUDGE