

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-24535-2015
Date of decision:8.10.2015

Jai Deep Dhawan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.J.S.Thind, Advocate for the petitioner.
Mr. K.D.Sachdeva, Addl. A.G., Punjab.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.151 dated 12.5.2015 registered under Sections 307, 323, 324, 148 and 149 IPC and under Sections 25, 54 and 59 of the Arms Act at Police Station Civil Lines, Amritsar.

Learned counsel for the petitioner, at the very outset, submits that in compliance of the orders passed by this Court, petitioner has joined the investigation and fully cooperated with the investigating agency. Nothing more was to be recovered from the petitioner. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Gurjinder Singh, Police Station Civil Lines, Amritsar, submits that though petitioner has joined the investigation on more than one occasions but he did not cooperate with the investigating agency in getting the recovery effected. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that keeping in view the totality of facts and circumstances of the case, coupled with the fact that, there was no fire arm injury found on the person of the complainant, petitioner has been found entitled for the concession of anticipatory bail without insisting for his further joining the investigation.

In view of the above and without commenting anything further on merits of the case, at this stage, lest it should prejudice the rights of either of the parties, the instant petition is allowed. The order dated 29.7.2015 passed by this Court is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

8.10.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE