

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.2785 of 2015

Date of Decision:10.02.2015

Surjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR.

**Present: Mr.Gaurav Rana, Advocate,
for Mr.Umesh Kumar Kanwar, Advocate,
for the petitioner.**

**Mr.Jaspreet Singh Sekhon, Assistant Advocate General,
Punjab, for the respondent-State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of concession of anticipatory bail in a case registered against him along with his other co-accused, vide FIR No.172 dated 05.10.2013, on accusation of having committed the offences punishable under Sections 452, 506, 324 and 34 IPC(the offence punishable under Section 326 IPC was later on added), by the police of Police Station Sadar Fazilka.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and deep consideration of the entire matter, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed on January 27, 2015 by this Court:-

“Learned counsel, inter alia, contended that initially the present case was registered against the petitioner and his co-accused, under Sections 452/506/324/34 IPC, in which, they were arrested, interrogated and were released on bail by the trial Court. Subsequently, the police added an offence punishable under Section 326 IPC, without any cogent reason at the instance of the complainant and intend to arrest the petitioner.

Heard.

Notice of motion be issued to the respondent, returnable for 10.02.2015.

Meanwhile, the petitioner is directed to join the investigation before the next date of hearing. In the event of his arrest, the Arresting Officer would admit him to bail on his furnishing adequate bail and surety bonds in the sum of Rs.25,000/- to his satisfaction.”

5. At the very outset, on instructions from ASI Ami Chand, learned State Counsel has acknowledged the factual matrix and submitted that the petitioner has already joined the investigation. He is no longer required for further interrogation, at this stage. There is no history of his previous involvement in any other criminal case. Even, since the prosecution has not yet submitted the final police report(challan) against the accused, so, the conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons and taking into consideration the peculiar facts & the special circumstances, emanating from the record, as discussed here-in-above, the instant petition for anticipatory bail is accepted. The interim bail already granted to the petitioner, by virtue of indicated order of this Court, is hereby made absolute, subject to the compliance of the conditions, as contemplated under Section 438(2) Cr.P.C.

Needless to mention that, in case, the petitioner does not cooperate or join the investigation, the prosecution would be at liberty to move a petition for cancellation of his bail in this Court.

February 10, 2015
seema

(MEHINDER SINGH SULLAR)
JUDGE