

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-28109 of 2015

Date of Decision: 19.10.2015

Onkar Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 438 CrPC is for grant of anticipatory bail to the petitioner in case FIR No.200 dated 28.7.2015 under Sections 336, 327, 506, 148, 149 IPC and Sections 25/27 of the Arms Act, 1959 (which have been added subsequently) registered at Police Station Sultanwind, District Amritsar City.

On 24.8.2015, this Court has passed the following order:-

“Learned counsel for the petitioner contends that though all the offences as alleged in the FIR are bailable except Section 25/27 of the Arms Act, which was added later on, but a perusal of the FIR shows that there is no allegation regarding possession of the arms by the petitioner. He further submits that lodging of the present FIR is a counter-blast to the earlier two FIR bearing Nos.180 dated 24.7.2014 and 185 dated 28.7.2014, wherein the petitioner is a complainant.

Notice of motion for 19.10.2015.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that pursuant to the aforesaid order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Harbans Singh, does not dispute the aforesaid fact and further submits that the custodial interrogation of the petitioner is no more required in the instant case.

In view of the aforesaid, the present petition is allowed and the order dated 24.8.2015 is made absolute.

October 19, 2015
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(HARI PAL VERMA)
JUDGE