

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 29169 of 2014(O&M)

Date of Decision :27.01.2015

Mehtab Singh

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Himanshu Puri, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, Addl. AG, Punjab.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail filed in case bearing FIR No. 116 dated 06.12.2013, under Sections 457 and 380 IPC, registered at Police Station Begowal, District Kapurthala.

On 08.12.2014 the following order was passed:-

“ Learned counsel has argued that the petitioner was granted anticipatory bail by order dated 11.02.2014. The matter was adjourned to 19.02.2014. On 19.02.2014 the investigating officer did not appear and the matter was adjourned to 21.02.2014 when again the investigating officer did not appear. Thereafter the matter was adjourned to 25.02.2014 and on that date again in the absence of the investigating officer the petition was dismissed.

Notice of motion for 27.01.2015.

In the meantime arrest of the petitioner shall remain stayed.”

Today learned Addl.AG has accepted the fact that the investigating officer could not appear but has stated that that was due to reasons beyond his control. In the circumstances it is clear that there was no occasion to reject the application for bail filed by the petitioner since it was not his fault.

Consequently the petition is allowed. The petitioner is directed to appear before the investigating officer on 05.02.2015 between 10.00 a.m. to 4.00 p.m. and on any other date on which his presence is required by the investigating officer. On his appearance the investigating officer shall release him on anticipatory bail to his satisfaction subject to the compliance of the provisions as envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

January 27, 2015
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