

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30352 of 2015

.....

Date of decision:9.10.2015

Lal Chand alias Billa

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Manish Dadwal, Advocate for the petitioner.

Mr. Inderpal Goyat, Additional Advocate General, Punjab for
the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.72 dated 19.5.2014 registered
for the offences under Sections 380, 448, 427, 148 and 149 IPC at Police
Station Model Town, Hoshiarpur, District Hoshiarpur.

Notice of motion has been issued in this case.

Mr. Inderpal Goyat, learned Additional Advocate General,
Punjab has put in appearance on behalf of the respondent-State and
contested this petition.

I have heard learned counsel for the parties and have gone
through the record.

From the record, I find that the petitioner has already joined the
investigation. As stated by the learned State counsel, the petitioner is not

required for custodial interrogation. Nothing is to be recovered from him.

As per the prosecution version, on 19.5.2014 at about 11.00 a.m. accused Dev Raj along with his sons and some other persons including Lal Chand alias Billa, had forcibly entered in the shop of the complainant and thrown the articles lying in his shop outside the shop and damaged the same. They had also stolen cash to the tune of ₹35,400/- from the cash box lying in the shop. As the petitioner has already joined the investigation and is not required for custodial interrogation, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 10.9.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

October 9, 2015.

(Inderjit Singh)
Judge

hsp