

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 35458 of 2015 (O&M)

Date of decision : November 03, 2015

Varinder Singh alias Babbal,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ritesh Pandey, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.06, dated 2.2.2015, registered under Sections 302, 380, 34 of the IPC and Sections 25, 27, 54, 59 of the Arms Act, at Police Station Kotli Surat Malhi, Police District Batala, District Gurdaspur.

On 15.10.2015 the following contention was noticed :-

“ Learned counsel has argued that the allegation against the petitioner is merely of being present with the main accused and neither he was armed nor he even raised lalkara.”

Today, learned Addl. AG Punjab has fairly accepted that there was no evidence of any further involvement of the petitioner which may

have emerged during investigation. She, however, points out that the petitioner has since been declared as proclaimed offender.

Counsel for the petitioner has argued that once the petitioner was before this Court and was seeking to avail his legal remedies, the order declaring him proclaimed offender cannot stand in the way of granting anticipatory bail.

Be that as it may, keeping in view the facts and circumstances of the present case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, this petition is allowed and it is directed that in the event of his arrest, the petitioner shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

November 03, 2015
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(AJAY TEWARI)
JUDGE