

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R.M-M No.36031-2015
Date of decision : 31.10.2015**

Nishan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. A.S.Ahluwalia Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

1. Whether Reporters of local papers 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)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case F.I.R. No.77 dated 11.09.2015 registered under Sections 283/353/186/332/148/149 IPC at Police Station Banur, District Patiala.

Learned counsel for the petitioner has argued that when the petitioner was driving PRTC Bus No.PB 65 P 4149 some car driver rashly while driving his car hit into the bus and started creating trouble for him, he called the police and the situation could not be controlled as a result of which 2 or 3 buses of PRTC were stopped blocking the road and creating a traffic jam.

Learned Deputy Advocate General, on instructions from ASI Harjinder Singh has argued that not only did the petitioner and other staff members blocked the road they also attacked the police. One police official sustained a simple injury.

Learned counsel for the petitioner has argued that actually the fact is that instead of solving the problem the police came and exhorted it and the bona-fide of the petitioner can be seen from the fact it was he who called the police. In my opinion if the petitioner is found guilty of any offence he would liable to suffer due punishment but keeping in view the fact that it was he who called the police, I deem it appropriate to grant the concession of anticipatory bail to him.

Resultantly, the petition is allowed.

In the event of arrest of the petitioner, she shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

October 31, 2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**