

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

**C.R.M-M No.3631 of 2015
Date of Decision : 12.02.2015**

Mandeep Singh @ Mana

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. J.S. Dadwal, Advocate
for the petitioner.

Mr. Deepak Garg, A.A.G., 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 is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.301 dated 08.10.2014 registered under Sections 399, 402 IPC at Police Station Focal Point, Ludhiana.

The allegations were that the police received the information that 8 persons had created a gang and all were sitting in an isolated place with deadly weapons and were planning to make theft in factories and petrol pumps. The raid was conducted and 7 persons were arrested. It was alleged that the petitioner managed to escape.

Learned counsel for the petitioner has argued that there is no conclusive proof that the petitioner was present at the spot but still he is ready to join the investigation.

Learned Astt. Advocate General on instructions from ASI Gurjit Singh states that if the petitioner is ready to join the investigation then his custodial interrogation is not required.

In the circumstances, without commenting upon the merits of the case and keeping in view the entire factual matrix, I do not deem it appropriate to deny anticipatory bail to the petitioner.

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

The petitioner is directed to appear before the investigating officer on 21.02.2015 and on any other date as and when his presence is required. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

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

February 12, 2015

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**(AJAY TEWARI)
JUDGE**