

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37229 of 2015

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Date of decision:10.12.2015

Kuldip Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Bikramjit Aroura, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

Mr. Rahul Bhargava, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.59 dated 28.4.2014 registered for the offences under Sections 307, 452, 341, 506, 148 and 149 IPC at Police Station Kambo, District Amritsar and (later on challan has been presented for the offences under Sections 307, 326, 325, 324, 323, 341 and 506 IPC), in which the petitioner has been summoned under Section 319 Cr.P.C. vide order dated 10.9.2015 passed by learned Additional Sessions Judge, Amritsar.

Notice of motion has been issued in this case.

Ms. Simsi Dhir Malhotra, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr.

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Rahul Bharagava, learned Advocate has appeared for the complainant and contested this petition. Police record has also been produced.

I have heard learned counsel for the petitioner, learned Deputy Advocate General, Punjab appearing for the respondent-State and Mr. Rahul Bhargava, learned counsel for the complainant and have gone through the record.

From the record, I find that the petitioner has not been challaned in the said FIR. He has been found innocent by the Investigating Agency. He has been summoned by the learned trial Court on the application filed under Section 319 Cr.P.C. He is not required for any investigation or interrogation purposes. The presence of the petitioner is required only to face the trial. No useful purpose will be served by sending the petitioner to custody. The disposal of the case will take a long time.

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 31.10.2015 passed by this Court granting interim bail to the petitioner is made absolute.

December 10, 2015.

(Inderjit Singh)
Judge

hsp