

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

CRM No. M-38327 of 2014

Date of Decision:-9.2.2015

Sukhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE MEHINDER SINGH SULLAR

Present:- Mrs.Kulwant Kaur Kahlon, Advocate for the petitioner.

Mr.J.S.Sekhon, AAG Punjab for the State.

Mehinder Singh Sullar, J. (Oral)

The petitioner has preferred the instant petition, for the grant of concession of pre-arrest bail, in a case registered against him and his other co-accused, vide FIR No.83 dated 29.9.2014 (Annexure P1), on accusation of having committed the offences punishable u/ss 148, 379, 427, 448 and 506 read with section 149 IPC by the police of Police Station Rangar Nangal, Distt. Batala.

2. Notice of the petition was issued to the State.
3. After hearing the learned counsel for the parties, going through the record with their valuable help and after deep consideration over the entire matter, to my mind, the present petition deserves to be accepted in this context.
4. Precisely, the prosecution, inter-alia, claimed that on 22.9.2014, the petitioner & his other co-accused entered the Haveli, scolded complainant Harwinder Singh & his mother and took away the bricks lying there. No other specific role or particular part is attributed to the petitioner

in the FIR. Moreover, the interim bail was granted to enable the petitioner to join the investigation, by means of order dated 12.11.2014 by a Coordinate Bench (Anita Chaudhary, J.) of this court.

5. At this stage, the learned State counsel, on instructions from ASI Pargat Singh, has acknowledged the relevant factual matrix and stated that the petitioner has already joined the investigation. He is no longer required for further interrogation. There is no history of his previous involvement in any other criminal case. Not only that, all the offences alleged against the accused are triable by the court of Magistrate. Even since the charges have not yet been framed against the accused, so, the final conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons, taking into consideration the totality of the facts & circumstances, emanating from the record, as depicted here-in-before, the instant petition for anticipatory bail is hereby accepted and the interim bail already granting to the petitioner, vide order dated 12.11.2014 is hereby made absolute, subject to compliance of conditions as envisaged under section 438(2) Cr.PC.

7. Needless to mention that in case, the petitioner does not cooperate or join the investigation, the prosecution would be at liberty to move an application for cancellation of his bail, in this relevant direction in this Court.

9.2.2015
AS

(Mehinder Singh Sullar)
Judge