

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-3951 of 2015

Date of decision:- March 12, 2015

Boota Singh

.....Petitioner...

Vs.

State of Punjab

....Respondent...

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Inder Pal Singh, Advocate,
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

Mr. S.S. Sidhu, Advocate,
for the complainant.

JASPAL SINGH, J.

This is a petition under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail, feeling apprehension of his arrest, in case FIR No. 188, dated 18.10.2013, under Sections 324, 323, 120-B IPC and Section 307 (added later on), registered at Police Station Raman, District Bathinda.

No doubt, as per the contents of the FIR, injury which falls under Section 307 IPC has been attributed to the present petitioner but during investigation of this case, he has been found innocent and as such on presentation of challan, his name was placed in column

No.2. However, during trial, an application under Section 319 Cr.P.C. was moved by the prosecution for summoning the present petitioner to stand trial along with his co-accused and that application was allowed, which necessitated the filing of present petition under Section 438 of the Cr.P.C.

Since, the trial is already going on before the competent court of jurisdiction and further that in the given circumstances, the custodial interrogation is not at all required, petition stands allowed and petitioner is ordered to be released on bail at the satisfaction of trial court.

(JASPAL SINGH)
JUDGE

March 12, 2015
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