

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

**C.R.M-M No.41099 of 2015
Date of Decision : 11.12.2015**

Major Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.P.S. Sidhu, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

Mr. O.P. Kamboj, Advocate
for the complainant.

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 petitioners in case FIR No.79 dated 11.11.2015, registered under Sections 326, 324, 295, 295-A, 506, 34 IPC, at Police Station Mallanwala, District Ferozepur.

After arguing for some time, learned counsel for the petitioners states that he does not wish to press this petition qua petitioner No.2 but even as per the allegations in the FIR no overt act has been attributed to the petitioner No.1.

Learned Additional Advocate General as well as the learned

counsel for the complainant have not been able to refute the aforesaid fact since as per the FIR itself the allegation of extortion is attributed to the petitioner No.2.

In view of the facts and totality of circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner No.1.

Resultantly, the petition is allowed qua petitioner No.1. In the event of arrest of the petitioner No.1, he shall be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Petition is dismissed as not pressed qua petitioner No.2.

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

December 11, 2015

ashish

**(AJAY TEWARI)
JUDGE**