

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-41408 of 2014
Date of Decision:-06.01.2015

Sagar Petitioner

Versus

State of PunjabRespondents

CORAM:HON'BLE MR. JUSTICE K. C. PURI

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

Ms. Simsi Dhir Malhotra, DAG, Punjab.

K. C. PURI, J. (ORAL)

Petitioner Sagar has applied for grant of anticipatory bail in
FIR No.8 Dated 04.01.2004 under Sections 307 IPC and 25/54/59 Arms
Act registered at Police Station, Kapurthala.

Learned counsel for the petitioner has submitted that name of
the petitioner is not mentioned in the FIR. He has further submitted that
presence of the petitioner has been mentioned by Munish eye-witness
but he has also not stated that petitioner was armed with any weapon
nor has been attributed any overt act.

The said factual position has not been disputed by the State
counsel.

Since the name of the petitioner does not mentioned in the
FIR and even according to Munish eye-witness, neither the petitioner
was armed with any weapon nor has been attributed any overt act, the
application stands allowed.

The petitioner is ordered to be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Officer subject to the following conditions, as envisaged in Section 438 (2) of the Code of Criminal Procedure:-

- i. That the petitioner shall make himself available for interrogation, as and when required;
- ii. That the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
- iii. That the petitioner shall not leave India without the previous permission of the Court and shall surrender his passport if any.

06.01.2015
prince

(K.C.PURI)
JUDGE