

CRM-M-42353-2015(O&M)

Date of Decision : 22.12.2015

Vikas Malhotra

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Madan Sandhu, Advocate
for the petitioner.

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

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 is an application for anticipatory bail in case bearing FIR No. 141 dated 16.10.2014, registered under Sections 420,120-B IPC at Police Station Nangal, District Roop Nagar.

Learned counsel for the petitioners has argued that as per the FIR the main accused is one Bindu and during investigation he has been found to be innocent and if that is so at least the petitioner, who is at best stated to be an accomplice, cannot be denied the benefit of anticipatory bail.

Learned Addl.AG, on instructions from HC Gurmej Singh, has accepted the fact that Bindu has been found innocent but states that that would not exculpate the petitioner.

Be that as it may, once the case against the main accused is found to be false the petitioner cannot be denied the concession of anticipatory bail.

In the event of arrest of the petitioner, he shall be released on bail by the investigating officer to his satisfaction subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any, stands disposed of.

December 22, 2015
sunita

(AJAY TEWARI)
JUDGE