

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

**C.R.M-M No.44177 of 2014
Date of Decision : 06.01.2015**

Krishan Kumar @ Bughi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. H.K. Aurora, Advocate
for the petitioner.

Mr. Deepak Garg, A.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 petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.111 dated 15.07.2014 registered under Section 323, 427, 452, 34 IPC at P.S. Bhargo Camp, Jalandhar.

Learned counsel for the petitioner has argued that offence under Sections 323, 427 read with Section 34 IPC are bailable and Section 452 IPC has been wrongly invoked only to make the offence non-bailable.

Learned Assistant Advocate General has accepted the fact that other offences are bailable but has refuted the allegation that Section 452

IPC has been wrongly invoked.

Be that as it may, keeping in view the entire factual matrix, I do not deem it appropriate to deny bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 16.01.2015 and on any other date as and when his presence is required. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

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

January 06, 2015

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**(AJAY TEWARI)
JUDGE**