

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-44488 of 2014

.....

Date of decision:20.1.2015

Jagraj Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. H.S. Jalal, Advocate for the petitioner.

Mr. Varun Sharma, Assistant Advocate General, Punjab for
the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.92 dated 25.11.2014 registered for the offences under Sections 323, 325, 34 and (452 IPC which was added later on) at Police Station Tallewal, District Barnala.

Notice of motion has been issued in this case.

Mr. Varun Sharma, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that the petitioner has already joined

the investigation in view of the interim order dated 29.12.2014 passed by this Court. As argued, there is a delay of 11 days in the registration of the FIR and it is a case of version and cross-version. Learned counsel for the petitioner also argued that Section 452 IPC was added later on to make the offence non-bailable.

Keeping in view the facts and circumstances of the present case, I find that the petitioner is not required for custodial interrogation. No useful purpose will be served by sending him to custody. Nothing is to be recovered from him.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 29.12.2014 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

January 20, 2015.

(Inderjit Singh)
Judge

hsp