

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-8342 of 2015

Date of Decision: 18.5.2015

Dhanvir Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Darshan Singh.

Present: Mr. Anmol Partap Singh Mann, Advocate
for the petitioner(s).

Mr. Neeraj Yadav, Assistant Advocate
General, Punjab for the respondent.

Darshan Singh, J.

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (hereinafter referred to as "Cr.P.C.") for seeking anticipatory bail to the petitioner in case FIR No. 80 dated 1.7.2014, registered under Sections 307, 452, 323, 324, 427, 506, 148 & 149 of the Indian Penal Code, 1860 (hereinafter referred to as "IPC") at Police Station Nurpur Bedi, District Rupnagar.

2. Learned State counsel has stated at bar that Section 307 IPC has been deleted subsequently and Sections 325 & 120-B IPC have been added.

3. Learned counsel for the petitioner has pleaded that though the name of the petitioner figures in the FIR but no role at all has been attributed to him. It is also not specifically mentioned as to with what weapon he was armed. He further contended that co-accused Balbir Singh, who was similarly situated, has also been granted the concession

of the anticipatory bail.

4. Learned State counsel, on the instructions of Assistant Sub Inspector Vijay Kumar states that the petitioner has already joined the investigation and has been sufficiently interrogated is not required for any custodial interrogation.

5. Thus, as no specific role has been attributed to the petitioner in the present occurrence. He has already joined the investigation and is not required for custodial interrogation.

6. Consequently, the present petition is hereby allowed and the order dated 24.3.2015 granting interim pre-arrest bail to the petitioner is hereby made absolute. The petitioner shall, however join the investigation as and when called for and he will also abide by the conditions as specified under Section 438 (2) Cr.P.C.

(Darshan Singh)
Judge

May 18, 2015

“DK”