

Sr. No. 206

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

**CRM No. M-152 of 2016
Date of Decision: 10.02.2016**

Harpreet Singh alias Mina

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. R.S.Cheema, Senior Advocate with
Ms. Tanu Bedi, Advocate,
for the petitioner.

Mr. A.S.Kler, DAG, Punjab.

Mr. G.P.S.Bal, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.132 dated 28.11.2015 under Sections 307, 295-A, 506, 34 of Indian Penal Code (for short 'IPC'), registered at Police Station Goindwal Sahib, District Tarn Taran, Punjab.

While issuing notice of motion, the following order was passed by this Court on 07.01.2016:

“The instant petition has been filed under Section 438 Cr.P.C. seeking the concession of pre-arrest bail to the petitioner in case FIR No.132 dated 28.11.2015, under Sections 307/295-A/506/34 IPC, registered at Police Station Goindwal Sahib, District Tarn

Taran.

Learned senior counsel would argue that the registration of the FIR is based on false implication as the complainant, namely, Prem Singh is a political heavy weight. It is contended that the allegation against the petitioner as regards an attempt having been made to strangle with a parna are totally unfounded. It has also been specifically contended that offence under Section 307 IPC was cited even without any medical examination having been conducted. Counsel would even advert to a medical report as regards examination that was conducted much after the registration of the FIR and it would only indicate injuries in the nature of abrasions and certain superficial wounds.

Notice of motion, returnable on 10.02.2016.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Gurmukh Singh would submit that petitioner has since joined investigation and is not required for custodial interrogation.

Accordingly, present petition is allowed. Order dated 07.01.2016, passed by this Court, is made absolute.

Disposed of.

10.02.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE