

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

CRM-M -16105 of 2016 (O&M)
Date of decision: 16.08.2016

Sarvjot Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Jagdish Rai, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Supinder Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.60, dated 19.03.2016, registered under Sections 353, 186, 332, 506, 148 read with Section 149 IPC and Sections 3, 4, 5 of the Punjab Instruments (Control and Noises) Act, 1956, at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

On 11.05.2016, this Court had passed the following order:-

“Counsel would place reliance upon an order dated 06.05.2016 passed by this Court in CRM No.M-15734 of 2016 to contend that co-accused Pawandeep Singh Bakhshi who although was stated to be armed with a kirch has been granted ad interim protection as regards arrest. It is submitted that the case of the

present petitioner is on a better footing inasmuch as he was stated to be unarmed and only present at the time of occurrence.

Notice of motion, returnable for 16.08.2016.

To be listed along with CRM No.M-15734 of 2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

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.”

It is contended that in pursuance of the order dated 11.05.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.05.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

16.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No