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

**C.R.M-M No.16257 of 2016
Date of Decision : 22.08.2016**

Sunil Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. B.S. Thind, AAG, Punjab.

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.117 dated 24.06.2015, registered under Sections 452, 341, 323, 325, 506, 148 and 149 IPC at Police Station City Samana, District Patiala.

On 11.05.2016 the following order was passed:-

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.117 dated 24.06.2015, under

Sections 452/341/323/325/506/148/149 IPC, registered at Police Station City Samana, District Patiala.

Counsel would contend that the FIR was registered at the instance of complainant/injured, Mohinder Singh. As per prosecution version, Mohinder Singh is stated to have suffered four injuries and which are specifically attributed to co-accused, namely, Ravinder Singh @ Ravi, Gurmun Singh, Gaurav and Gurbhej Singh. Insofar as the present petitioner is concerned, he was stated to be present at the spot and the only role attributed is of having raised a lalkara.

Notice of motion, returnable for 22.08.2016.

In the meanwhile, petitioner is directed to appear before 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. ”

Learned Assistant Advocate General on instructions from ASI Baljit Ram has stated that the petitioner has joined the investigation and he is no more required for custodial interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory

bail to the petitioner in the present case. Ordered accordingly.

Resultantly, the interim order dated 11.05.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

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

August 22, 2016
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(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No