

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15531-2015 (O&M).
Decided on: January 7, 2016.

Rajan Kumar @ Rajan Garg

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

* * *

PRESENT Mr.N.S.Shekhawat, Advocate,
for the petitioner.

Ms.Harpreet Kaur Athwal, DAG., Punjab.

Mr.K.S.Brar, Advocate,
for the respondent.

M.M.S. BEDI, J. (ORAL)

Petitioner who has been summoned as additional accused during the course of trial seeks concession of pre-arrest bail.

Pursuant to the interim order dated 13.5.2015, the petitioner has already put in appearance before the trial Court. The dual version regarding the involvement of the petitioner has already cropped up. The petitioner in said circumstances can be granted the concession of pre-arrest bail as he has not misused his liberty during the period of trial.

The petition is allowed. Order dated 13.5.2015 is hereby made absolute. It is ordered that the petitioner will remain on bail against the bail bonds already furnished subject to the conditions that he will continue to appear before the trial Court and will not

absent himself without any sufficient cause.

Counsel for the petitioner has submitted that an application under Section 216 Cr.P.C., for amendment of the charge qua the petitioner seeking to incorporate the offence under Section 307 IPC, against the petitioner has been filed by the complainant. The application is stated to be pending for 14.1.2016. A copy of the application under Section 216 Cr.P.C., filed by the complainant to charge the petitioner under Section 307 IPC, has been placed on record as Annexure P9.

Since the application for amendment of the charge has been filed during the pendency of this petition, it is ordered that the present order granting pre-arrest bail to the petitioner in offence under Section 308 IPC would remain operative even if the charge is amended by the trial Court while deciding the application under Section 216 Cr.P.C.

(M.M.S. BEDI)
JUDGE

January 7, 2016.
rka