

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-16660 of 2016

.....

Date of decision:10.8.2016

Hardeep Singh alias Mintu

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Ms. G.K. Mann, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.47 dated 16.4.2016 registered
at Police Station Doraha, District Ludhiana for the offences under Sections
341, 307, 323, 382, 506, 120-B, 148 and 149 IPC and Sections 25 and 27 of
the Arms Act and (Section 307 IPC has been deleted).

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has
put in appearance on behalf of the respondent-State and contested this
petition.

I have heard learned counsel for the petitioner and learned
Assistant Advocate General, Punjab appearing for the respondent-State and
have gone through the record.

As per the allegations, the complainant Sohan Singh is a

licensed wine contractor and he got recovered 400 boxes of illicit liquor from Samrat Dhaba of Gurdeep Singh alias Mithu. As per the allegations, Gurdeep Singh alias Mithu along with five-six persons, who were holding sticks and deadly weapons in their hands, dragged the complainant out of the car and started beating him. Gurdeep Singh alias Mithu kept his revolver on complainant's head while the petitioner tried to strangle him with an intention to kill him. During the investigation, the offence under Section 307 IPC has been deleted. The petitioner has joined the investigation. The main accused is Gurdeep Singh alias Mithu. The petitioner is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 13.5.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 10, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No