

**209-B IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R.M-M No.17035 of 2016 (O&M)
Date of Decision : 08.08.2016**

Sajan

..... Petitioner

Versus

The State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Rajesh Bhatheja, Advocate
 for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

Mr. P.S.Dhaliwal, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.184 dated 08.10.2014 registered under Sections 307/427/323/341/148/149 IPC at Police Station City South Moga, District Moga.

On 17.05.2016 the following order was passed:-

“Petitioner as a member of an unlawful assembly had allegedly attacked the complainants Ajay Kumar and Arun Bohiit.

Counsel for the petitioner submits that a case under Section 326 IPC stands registered against the complainants. It is urged that no injury is attributed to the petitioner.

Notice to the Advocate General, Punjab, for 12.7.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 28.5.2016 and 11.6.2016 or on any other day as required by the Investigating Officer. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.”

Learned Additional Advocate General, on instructions from H.C. Jaswant Singh accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 17.05.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

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

(AJAY TEWARI)
JUDGE

08.08.2016

Pooja sharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No