

CRM-M-19404-2016

DECIDED ON: AUGUST 26, 2016

GAGANDEEP SINGH @ HAPPY

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of this petition preferred under Section 438 Cr.P.C., petitioner has sought pre-arrest bail in case FIR No. 15 dated 11.02.2016 under Sections 380, 427, 323, 34 IPC, registered at Police Station Kulgari, District Ferozepur.

At the time of issuance of notice of motion the following order was passed:

“Prayer is for grant of anticipatory bail to accused petitioner Gagandeep Singh @ Happy in case FIR No.15 dated 11.2.2016 under Sections 380,427,323,34 IPC,PS Kulgari,Distt.Ferozepur.

Complainant-Sukhwinder Singh @ Laadi runs a kiriyana store and on 10.11.2015 at around 7.30 pm the petitioner accused Happy accompanied by three other co-accused are alleged to have come to his shop and on account of an altercation caused destruction in his shop. They are further alleged to have taken away a sum of ₹40,000/- from his shop.

It is contended that a sudden dispute arose over the rendition of

accounts between the petitioner and complainant wherein the petitioner also was inflicted injuries on the forehead and nose as per MLR P-1.

It is thus contended that to make the offences serious and nonbailable the false allegations of theft of ₹40,000/- has been made.

Notice of motion for 26.8.2016.

In the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C. ”

Learned State counsel, on instructions from ASI Satnam Singh submits that in compliance of order dated May 31, 2016, petitioner has already joined the investigation and he is not required for further investigation.

In view of above, instant petition is allowed and order dated May 31, 2016 is made absolute.

However, petitioner shall be abide by all the terms and conditions as envisaged under Section 438 (2) Cr.P.C.

AUGUST 26, 2016
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(JASPAL SINGH)
JUDGE

Whether	Speaking/Reasoned	Yes/No
Whether	Reportable	Yes/No