

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

**CRM-M No.21055 of 2016 (O&M)  
Date of Decision : 29.08.2016**

Buta Singh @ Boota Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI**

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Present : Mr. Parminder Singh, Advocate for the petitioner.

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

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**AJAY TEWARI, J. (Oral)**

This is a petition for grant of pre-arrest bail to the petitioner No.2-Sukhdeep Singh under Section 438 Cr.P.C. in case FIR No.19 dated 25.01.2016 registered under Sections 458/427/148/148/506/323 IPC at Police Station Nihal Singh Wala, District Moga.

On 12.07.2016 the following order was passed:-

*“Learned counsel for the petitioners states that this petition has been rendered infructuous qua petitioner No.1 since he has been arrested.*

*Petition is dismissed as having been rendered infructuous qua petitioner No.1.*

*Learned counsel has argued that the perusal of the CCTV footage does not reveal that an offence under Section 458 IPC has met out. All the other offences areailable.*

*Notice of motion. On the asking of the Court, Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab accepts notice on behalf of the respondent-State.*

*Learned counsel for the petitioner undertakes to supply a copy of the paper book to the learned Additional Advocate General during the course of the day.*

*Adjourned to 29.08.2016.*

*In the circumstances, let the petitioner appear before the Investigating Officer on 26.07.2016 or on any other date on which his appearance is required by the Investigating Officer. On his appearance, the I.O. shall release him on interim bail to his satisfaction subject to the conditions as envisaged under Section 438 (2) Cr.P.C. ”*

Learned Additional Advocate General, on instructions from ASI Amarjit Singh accepts the fact that petitioner No.2 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 petitioner No.2-Sukhdeep Singh.

Resultantly, the petition is allowed qua respondent No.2- Sukhdeep Singh. The interim order dated 12.07.2016 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.

**29.08.2016**

*pooja sharma-I*

**( AJAY TEWARI )  
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No