

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

CRM-M-21226-2016 (O&M)
Date of decision: 21.07.2016

Navjot Singh @ Rocky

.... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Varun Baanth, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Ajay Tewari, J.(Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.9 dated 13.02.2016 registered under Sections 302, 201 and 34 IPC at Police Station Talwara, District Hoshiarpur.

On 08.07.2016, following contention was made:

"Learned senior counsel has argued that the first version of the incident was given by one of the persons who was travelling with the deceased when the vehicle had fallen into the canal and reading of that statement shows that the FIR is completely contrived."

Learned State counsel on instructions from ASI Harinder Singh has accepted this and also argued that Paramjit Singh, who had given that statement, is also co-accused.

Learned counsel for the petitioner has submitted that two independent witnesses i.e. Vikram Singh and Moti Ram, who had admittedly helped to retrieve the persons from canal have also given

similar statements.

Learned State Counsel on instructions from ASI Harinder Singh has also accepted the said fact.

In this view of the matter, there is a seeming contradiction on the record and without commenting on the merits of the case, I cannot but grant the benefit of this contradiction to the petitioner.

Let him appear before the Investigating Officer on 28.07.2016 or on any other date on which his presence is required by the Investigating Officer. On his appearance, the Investigating Officer shall release him on bail to his satisfaction subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of.

July 21, 2016
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(AJAY TEWARI)
JUDGE