

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

CRM-M-21946-2016 (O&M)

Date of decision : 01.09.2016

Harpreet Singh @ Happy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. L.S. Sidhu, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by HC Puran Chand.

Mr. KBS Mann, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in FIR No.68 dated 12.05.2016, registered under Section 307 read with Section 34 of the Indian Penal Code and Sections 25 and 27 of the Arms Act, at P.S. Sadar Fazilka.

Heard.

On 29.06.2016, the following order was passed:-

“Counsel for the petitioner states that the only role attributed to the petitioner is the Lalkara and the injury is attributed to the father who had been arrested on 13.05.2016.

Notice of motion, returnable by 01.09.2016.

In the meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on bail to the satisfaction of the arresting/investigating officer subject to the conditions laid down in section 438 sub section 2 clauses

(i)(ii) and (iii) of the Code of Criminal Procedure.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

Learned counsel for the complainant opposes the present petition on the ground that the petitioner actively participated in the crime.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 29.06.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

01.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No