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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: July 01, 2016
CRM-M-22058 of 2016 (O&M)

Balbir Singh @ Balvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CRM-M-22052 of 2016 (O&M)

Balbir Singh @ Balvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Sarju Puri, Advocate
for the petitioner.

1. Whether Reporters of Local papers 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?

A.B. CHAUDHARI, J (Oral)

By this common order, above said both the petitions shall be disposed of.

The petitioner had filed an application seeking grant of anticipatory bail which was registered as B.A. No.174/16 before the Sessions Judge, S.B.S. Nagar. Upon notice, ASI Pavitter Singh No.66/Shahed Bhagar Singh Nagar, Police Station Behram appeared before the learned Sessions Judge, who found that there required a report from Chief Judicial Magistrate and accordingly, he directed to have report from the Chief Judicial Magistrate by acting under Section 159 of the Code of Criminal Procedure, 1973. The learned Sessions Judge did not make any order on interim or final prayer of the petitioner for grant of anticipatory

bail made in the said application.

In my opinion, the petitioner ought to be granted the protection of anticipatory bail order till the learned Sessions Judge takes a decision either without receiving the report from the Chief Judicial Magistrate or after receiving the same, as the case may be. In that view of the matter, I make the following order:-

- (i) CRM-M-22058 of 2016 is disposed of.
- (ii) In the event of arrest, petitioner shall be released on ad-interim anticipatory bail on his furnishing bail bonds amounting to ₹10,000/- with one surety of like amount.
- (iii) The learned Sessions Judge shall decide the application for grant of anticipatory bail or interim prayer either on receiving the report from the Chief Judicial Magistrate or without receiving of the same as ordered in the impugned order dated 07.06.2016.
- (iv) The protection of ad-interim anticipatory bail shall continue to operate till the learned Sessions Judge decides the interim prayer or final prayer of the petitioner for grant of anticipatory bail made in the said application and thereafter, the order of ad-interim anticipatory bail shall come to an end.
- (v) Disposed of.
- (vi) CRM-M-22052 of 2016 is disposed of as having been rendered infructuous keeping in view the decision made in CRM-M-22058 of 2016.

(A.B. CHAUDHARI)
JUDGE

July 01, 2016
mahavir