

CRM-M-22541-2016

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

CRM-M-22541-2016

Date of Decision:26.10.2016

Sarabjot Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gagandeep Singh Simble, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner, Sarabjot Singh, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.16 dated 11.03.2016, registered at Police Station Civil Lines, Bholath, District Kapurthala, under Sections 379-B, 34 and 120-B of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the FIR, complainant along with his wife was going for some household work in a car bearing registration No.PB-08BW-8453 to Jalandhar. When they were just behind village Mubarkpur, a white colour car came from behind and waylaid them.

CRM-M-22541-2016

Thereafter, four clean shaven persons who were having *datars*, came out of the car and forcibly took the complainant and his wife out of the car and further put chilly powder in their eyes. They also snatched revolver, cash, jewellery, ATM cards which were lying in the hand-bag of wife of complainant.

The present petitioner is stated to be real nephew of the complainant and he looks not present at the spot. Otherwise also, the complainant might have named the petitioner in the FIR.

After hearing learned counsel for the petitioner and learned State counsel, I find that the petitioner has already joined the investigation in pursuance of the order dated 02.08.2016 passed by this Court and he is now not required for custodial interrogation. The present petitioner has not been named in the FIR.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 02.08.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

26.10.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No