

CRM-M No.24010 of 2016 (O&M)
Date of decision : 01.08.2016

State of Punjab Respondent

“The petitioner seeks grant of anticipatory bail. Allegations were that one person called the complainant from his house and two other persons (one of whom the complainant knew) came close to him and the person whom the complainant knew gave the complainant two datar blows. That person Manga is in custody. As per the disclosure statement of Manga, the petitioner has been implicated on the ground that he had arranged the said attack at the instance of one Mohinder Singh Vellatiya because the said Mohinder Singh had a dispute with the complainant.

Counsel for the petitioner has argued that Manga is in custody and apart from his disclosure statement, there is no other evidence against the petitioner.

Learned Addl. AG Punjab, on instructions from ASI Mohinder Pal Singh, states that the above averments are not entirely true because the motor cycle allegedly used by Manga belongs to the petitioner and that there is another case under Sections 324/326/34 of the IPC pending against the petitioner.

Counsel for the petitioner states that the petitioner does not own a single vehicle. As regards the second case, he states that the said case has already been compromised and statements have been recorded.

Learned Addl. AG Punjab seeks two days' time to ascertain these facts.

Adjourned to 1.8.2016. Copy of this order be given dasti to counsel for the respondent under the signatures of the Bench Secretary."

On instructions from ASI Loveleen Singh the learned Additional Advocate General has accepted this fact.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 10.08.2016 and on any other date as and when his presence is required. On his appearance the I.O. shall release him on bail to his satisfaction subject to the conditions envisaged under Section 438 (2)

Cr.P.C. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

01.08.2016
Pooja sharma-I

(AJAY TEWARI)
JUDGE

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