

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28790 of 2016
DECIDED ON: October 18, 2016

GURDIAL SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Mr. B.S. Cheema, DAG, Punjab.

JASPAL SINGH, J (ORAL)

Through instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.244, dated 17.07.2016, under Sections 307, 323, 341, 148 and 149 IPC, Police Station City Barnala, District Barnala

2. While issuing notice of motion, following order was passed by this Court on 22.08.2016:-

“It has been inter-alia contended by learned counsel for the petitioner that petitioner and one Ram Singh were telling their companions not to spare the complainant and to kill him. The injuries which have been allegedly received by the complainant have been attributed to some other person(s).

Notice of motion for 18.10.2016.

In the meanwhile, petitioner is directed to join the

investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/ Investigating Officer subject to the conditions, as envisaged under Section 438(2) Cr.P.C. ”

3. Learned State counsel, on instructions from HC Sewa Singh, Police Station City Barnal, District Barnala has categorically stated that in compliance of order dated 22.08.2016, petitioner has already joined the investigation. He is no more required for further investigation/interrogation.

4. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 22.08.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

October 18, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*