

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

**Criminal Misc.No.M-28795 of 2016 (O&M)
Date of Decision : 05th October, 2016**

Rajwinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Harsimranjeet Kaur, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred the instant petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.48 dated 20.05.2016, registered at Police Station Gidderbaha, District Shri Muktsar Sahib, Punjab, under Sections 307, 452, 148, 149 IPC and Sections 25 and 27 of the Arms Act.

On 22.08.2016, this Court passed the following order:-

“Learned counsel states that the main accused has been granted bail by order dated 25.07.2016 passed in CRM-M-24020-2016.

Notice of motion for 05.10.2016.

In the meantime, in the event of arrest of the petitioner he shall be released on interim bail by the investigating officer subject to the conditions envisaged under Section 438(2) Cr.P.C. However, it is clarified that the petitioner shall be present before the investigating officer as and when his presence is required.”

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Learned State counsel, on instructions from Head Constable Surjit Singh, has accepted that the main accused was granted bail as asserted and the petitioner has joined investigation and he is not required for any further interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case.

Ordered accordingly.

Resultantly, the interim order dated 22.08.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

05th October, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No