

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29386 of 2016
DECIDED ON: October 20, 2016

ROHIT @ BAU

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. A.K. Vermani, Advocate,
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioner-Rohit @ Bau has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.134, dated 07.07.2016, under Sections 323, 324, 148 and 149 IPC (later on added Section 326 IPC), Police Station Chheharata, District Amritsar City.

2. While issuing notice of motion on 24.08.2016, following order was passed by this Court:-

“Inter-alia, it has been contended by learned counsel for the petitioner that allegations against the petitioner are that he while armed with 'Dattar' dealt its blow from reverse side at the back of the complainant, which is falls within the ambit of 323 IPC, whereas an injury which attracts Section 326 IPC has been attributed to the co-accused.

Notice of motion for 20.10.2016.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on prearrest 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 Sarwan Singh, Police Station Chheharata, District Amritsar City, has submitted that the petitioner has joined the investigation in compliance of order dated 24.08.2016 and he is no more required for further investigation.

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 24.08.2016 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 20, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*