

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

CRM-M-29970-2016 (O&M)

Date of decision : 07.11.2016

Sukhchain Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. N.S. Dandiwal, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Krishan Kumar.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.131 dated 25.06.2016, registered under Sections 452, 307, 364, 323 and 148 read with Section 149 of the Indian Penal Code, and Sections 25 and 27 of the Arms Act, at Police Station City South Moga.

Heard.

On 07.09.2016, the following order was passed:-

“CRM-27804-2016

Application is allowed, as prayed for.

Annexure P-3 is taken on record, subject to all just exceptions.

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Learned counsel contends that the alleged injury has been caused by khanda which is sharp edged weapon whereas injuries noticed on the co-accused has been caused by blunt weapon. No injury has been attributed to the petitioner and he has been shown empty handed. The grievous injury has

been attributed to the co-accused Gurkiranjit Singh. Section 452 of Indian Penal Code has been wrongly involved.

Notice of motion for 07.11.2016.

At the asking of the Court, Ms. Harsimrat Rai, DAG, Punjab, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court. Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1. That he shall make himself available for interrogation by a police officer as and when required;

2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3. That he shall not leave India without prior permission of the Court.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 07.09.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

07.11.2016
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No