

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

**Criminal Misc.No.M-31327 of 2016 (O&M)
Date of Decision : 06th October, 2016**

Gaurav Bajaj

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. B.S.Guliani, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, 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.111 dated 24.10.2015, registered at Police Station Malout City, District Muktsar, under Sections 304/34, 302 IPC and Section(s) 3/4 of SC/ST Act.

On 14.09.2016, this Court passed the following order:-

“Notice of motion.

On the asking of the Court, Ms. Amarjit Kaur Khurana, Additional Advocate General, Punjab, accepts notice on behalf of the respondent.

Learned counsel for the petitioner undertakes to supply a copy of the petition to the learned Addl.A.G. during the course of the day.

Adjourned to 03.10.2016.

In the meantime, arrest of the petitioner shall remain stayed.”

Criminal Misc.No.M-31327 of 2016 (O&M)

Learned counsel for the petitioner has argued that originally the petitioner was granted bail by this Court vide order dated 20.05.2016, passed in Criminal Misc.No.M-6592 of 2016. However, thereafter, Section 304 IPC was again converted into Section 302 IPC. He has further argued that the trial has commenced and there would have no requirement of the custody of the petitioner.

Learned State counsel, on instructions, has fairly accepted that at this stage it would be no requirement for the custody of the petitioner.

In these circumstances, the petition is allowed. The petitioner is directed to appear before the learned trial Court on 17.10.2016, the date already fixed before that Court and on doing so, he shall be released on bail by the learned trial Court to its satisfaction.

06th October, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No