

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-36319 of 2016

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Date of decision:21.11.2016

Raghubir Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Rahul Sharma, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.102 dated 29.8.2016 registered
for the offence under Section 295-A IPC at Police Station Laddowal,
District Bathinda.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has
put in appearance on behalf of the respondent-State and contested this
petition.

I have heard learned counsel for the petitioner as well as
learned Assistant Advocate General, Punjab appearing for the respondent-
State and have gone through the record.

At the very outset, learned counsel for the petitioner argued that
the petitioner has full respect in the religion and he cannot even think to say

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these words which are attributed to him in the FIR. He argued that this is a false case registered against the petitioner at the instance of the Sarpanch because the petitioner was asking for the information under the RTI Act which is clear from Annexure-P.2.

The petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 7.10.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

November 21, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No