

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-36896 of 2015 (O&M)
Date of Decision: 12.01.2016

Prem Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. T.P.S. Tung, Advocate for the petitioner.

Mr. A.S. Kler, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.46 dated 12.5.2015 under sections 148, 307, 323, 324, 326 and section 435 read with section 149 I.P.C, registered at Police Station, City Batala, Police District Batala, Revenue District Gurdaspur.

While issuing notice of motion, the following order was passed by this Court on 30.10.2015:-

“Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioner, Prem Singh, who has been booked for having committed the offences punishable under Sections 148, 307, 323, 324, 326 and 435 read with Section 149, IPC, in a case arising out of FIR No.46, dated 12.05.2015, registered at Police Station, City Batala, Police District Batala (Revenue District Gurdaspur).

Learned counsel contends that it is a case of version and cross-version; Victor Masih and Jaspal Singh from the petitioner's side had received multiple injuries in the same incident; two co-accused of the petitioner were arrested and granted bail while one co-accused has been granted

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anticipatory bail by the Court below and that the petitioner has been attributed a simple injury by means of a dattar on the person of Darshan Lal.

Notice of motion for 12.01.2016.

In the event of his arrest, the petitioner shall be released on ad-interim anticipatory bail subject to his furnishing personal bond in the sum of `25,000/- (Rupees twenty five thousand only) with one surety in the like amount to the satisfaction of the arresting officer. The petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down in Section 438(2), Cr.P.C.”

Learned State counsel upon instructions from ASI Hardeep Singh would apprise the Court that the petitioner has since joined investigation. It has also been conceded that offence under section 307 I.P.C has since been deleted.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 30.10.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.01.2016
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