

CRM-M No.38267 of 2016 (O&M)

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

**CRM-M No.38267 of 2016 (O&M)
Date of Decision : 22.11.2016**

Sukhdev Singh @ Darbara Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Satwant Mehta, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.33 dated 14.05.2016 registered under Sections 326/324/148/149 IPC at Police Station Valtoha, District Tarn Taran.

On 25.10.2016 the following order was passed :-

*“Petitioner seeks the concession of pre-arrest bail in
a case registered at the instance of Raj Balbir Singh*

alleging that petitioner along with other co-accused had attacked the complainant armed with Kirpan causing injury on the head to take actual possession of the land, as presumed by the Additional Sessions Judge dismissing the application for pre-arrest bail.

It is claimed by the petitioner that the complainant has earlier been convicted along with other co-accused for having forged the signatures of the petitioner in land transaction pertaining to the land which is the subject matter of dispute in the present case.

Notice to Advocate General, Punjab, for November 22, 2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on November 5, 2016 and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer.”

Learned Deputy Advocate General, on instructions from ASI Nirmal Singh accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 25.10.2016 is made absolute subject to the conditions envisaged under

Section 438(2) Cr.P.C.

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Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

22.11.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No