

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

CRM No.M-38850 of 2016 (O&M)

Date of decision: December 15, 2016

Balbir Singh alias Bhola

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Manoj Pundir, Advocate
for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Balbir Singh alias Bhola has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.92 dated 15.07.2016, registered at Police Station Kharar, District Mohali, under Sections 307, 325, 324, 323, 341, 148 and 149 of Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the FIR, the present petitioner has not been named in the FIR. He was not armed with any weapon and he has not caused any injury to anybody. His name has

appeared in the supplementary statement and even in the supplementary statement as argued by the learned State counsel, there is no attribution to the present petitioner. The petitioner has joined the investigation in compliance of order dated 27.10.2016, passed by this Court and he is not required for custodial interrogation. No useful purpose would be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 27.10.2016, 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.

December 15, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No