

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

CRM No.M-38868 of 2016 (O&M)

Date of decision: December 9, 2016

Jaspal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Harjeet Singh Kotli, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Jaspal Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.117 dated 16.10.2016, registered at Police Station Bhikhi, District Mansa, under Sections 323, 427, 341, 379, 148 and 149 of Indian Penal Code.

Notice of motion was issued in this case.

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

Learned counsel for the petitioner argues that in compliance of order dated 27.10.2016, passed by this Court, the petitioner has already joined the investigation in this case.

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

As per the allegations contained in the FIR, complainant-

Bahader Singh was coming to his house on motorcycle and when he reached

near Grain Market, then the present petitioner along with other co-accused and 7/8 other persons encircled him and gave beatings. It is also alleged that theft of Rs.30,000/- was also committed. As per version of learned counsel for the petitioner, the petitioner has already joined the investigation. Thus, the petitioner is not required for custodial interrogation. No useful purpose would be served by sending the petitioner to custody.

Therefore, 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 9, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No