

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

***CRM No.M-5080 of 2016 (O&M)
Date of Decision: 10.05.2016***

Binder Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present: Ms. Alisha Soni, Advocate for the petitioner.

Mr. D.S. Virk, AAG, Punjab.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.80 dated 28.10.2014, under Sections 308/324/323/148/149 IPC, registered at Police Station Jhunir, District Mansa.

On 11.02.2016, while issuing notice of motion, the following order was passed by this Court:

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.80 dated 28.10.2014, under Sections 308/324/323/148/149 IPC, registered at Police Station Jhunir, District Mansa.

Counsel would submit that during the course of investigation, the petitioner had been found to be innocent and it is only on account of an application under Section 319 Cr.P.C. having been allowed vide order dated 01.12.2015 by learned Additional Sessions Judge, Mansa that the petitioner has been summoned to face trial as an additional accused.

Counsel would argue that the petitioner is otherwise ready and willing to join trial proceedings and there would be no occasion to warrant his custodial interrogation.

Notice of motion, returnable for 10.05.2016.

In the meanwhile, it is directed that in case the petitioner duly puts in appearance before the trial Court within a period of one week from today, he would be entitled to ad interim protection as regards arrest subject to satisfaction of the trial Court.”

Counsel appearing for the petitioner has produced in Court today, certified copy of order dated 18.02.2016 passed by learned Additional Sessions Judge, Mansa and a perusal of the same would reveal that the petitioner had appeared before the trial Court and had been admitted to interim bail on furnishing bail bonds in the sum of Rs.1 lac and a surety of the like amount.

The petitioner having joined trial proceedings, prayer made in the present petition is accepted.

Petition is allowed. Order dated 11.02.2016 passed by this Court is made absolute.

Disposed of.

10.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**