

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

CRM-M-6686 of 2016

Date of Decision: October 06, 2016

Surinder Pal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

FATEH DEEP SINGH, J.

Learned State counsel has filed status report by way of an affidavit of Harmohan Singh, PPS, Senior Superintendent of Police, Jalandhar (Rural). Same is taken on record.

Heard.

The contentions of the learned counsel for the petitioner that the petitioner-Surinder Pal was previous owner of vehicle INo.PB10-AK-0203 which he had sold on 29.05.2013 to Joginder Singh which is not disputed by the learned State counsel together with the contention that the petitioner was initially named as a prosecution witness and has testified in this case on behalf of the prosecution and subsequently after his evidence he has been again arrayed as an accused could not be factually refuted by the State counsel.

Keeping in view that since the petitioner has already

joined the investigation and has been examined as a PW and that the very validity of his being arrayed as an accused is subject matter to be adjudicated by the trial Court and that no useful purpose would be served by sending the petitioner behind the bars, the present petition seeking anticipatory bail is allowed. In the event of arrest of the petitioner, he be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

October 06, 2016

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No