

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

CRM-M -11890 of 2017 (O&M)

Date of decision: 16.05.2017

Vinod Kumar @ Lodhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vipin Mahajan, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.81 dated 28.06.2016, registered under Sections 307, 326, 324, 341, 326 and 148 read with Section 149 of IPC, at Police Station Division No.2, Pathankot, District Pathankot.

It is contended that in pursuance of the order dated 07.04.2017, the petitioner approached the Investigating Officer for joining him in the investigation, however, the petitioner was not allowed to join the investigation on the ground that the challan qua the petitioner stands presented.

The learned State counsel, on instructions submits that the petitioner has not joined the investigation.

From the statement dated 15.08.2016, it is clear that the petitioner had joined investigation, however, it appears that bail application was declined on the statement made by ASI Parmod Kumar to the effect that the petitioner has not surrendered in compliance of order of the trial Court. Considering the fact that the petitioner has already joined the investigation and nothing is to be recovered from him; the challan qua him stands presented, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 07.04.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

16.05.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No