

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

CRM No.M-1356 of 2017 (O&M)

Date of Decision: January 31, 2017

Rajdavinder Singh alias Rajwinder Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Paras Talwar, Advocate for
Mr.Navjot Sindh, Advocate
for the petitioner.

Mr.Deep Singh, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this second bail application under Section 438 read with Section 482 Cr.P.C. for grant of anticipatory bail in case FIR No.61 dated 23.04.2015 under Sections 308, 323, 324, 341, 148 and 149 IPC, registered at Police Station Sadar Khanna.

Notice of motion was issued and learned State counsel appeared and contested the 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 during investigation, the present petitioner was found innocent and his name was kept in column No.2.

Learned trial Court has summoned the present petitioner under Section 193

Cr.P.C.

The petitioner is not required for any custodial interrogation or investigation. He is only to appear before the trial Court to face the trial. No useful purpose will be served by sending the petitioner to custody till the disposal of the case. Furthermore, the petitioner is not the main accused in this case as per the prosecution version.

Therefore, finding merit in the present petition, the same is allowed. The petitioner is directed to appear before the trial Court within ten days from today and on doing so, he shall be released on bail by the trial Court to its satisfaction and if the petitioner does not appear within stipulated period, then this petition will be treated as dismissed.

January 31, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No