

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-15731 of 2017

.....

Date of decision:30.5.2017

Lakhwinder Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. V.P.S. Sidhu, Assistant Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.29 dated 4.5.2011 registered for the offences under Sections 379, 427, 447, 148 and 149 IPC at Police Station Bareta, District Mansa.

Notice of motion has been issued in this case.

Mr. V.P.S. Sidhu, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that as per the prosecution version, the FIR was registered on the complaint submitted by Jaspal Singh alleging that

on 23.9.2009, all the accused hatched the conspiracy and on 24.9.2009, they trespassed into the land of the complainant, demolished the tube-well room and uprooted the concrete pillars and barbed fencing installed at the boundary of the land of the complainant and stole farm equipments etc. The FIR in the case has been registered in the year 2011, whereas the incident is stated to be of 2009. The petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 5.5.2017 passed by this Court 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.

May 30, 2017.

(Inderjit Singh)
Judge

hsp

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