

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

Sr. No.202

CRM-M No.2483 of 2017
Date of decision : 26.05.2017

Bihari Lal

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Mr. Neeraj Yadav, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks the concession of anticipatory bail in FIR No.247 dated 17.12.2016, registered under Sections 323, 341, 452, 427, 506, 148, 149, 308 IPC, at Police Station Sadar Jalandhar, District Police Commissionarate Jalandhar.

On 27.01.2017, while issuing notice of motion, this Court had granted ad-interim anticipatory bail to the petitioner subject to the satisfaction of the Arresting officer.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in this case; no specific injury is attributed to him; there is no other criminal case in which the petitioner is involved; the matter between the petitioner and complainant has been compromised; under the interim orders of this Court, the petitioner has not only joined investigation, he has fully cooperated with the investigating agency and that since the challan has already been filed, the petitioner is no longer needed for investigation purposes.

Learned State counsel, on instructions from ASI Bhagwant Singh, admits that the petitioner has joined investigation; has fully cooperated with the investigating agency; he is no longer required for

further questioning; the allegations against the petitioner is that he damaged motorcycle and activa scooter and that the matter between the petitioner and the complainant has been compromised.

Since the petitioner is not involved in any other criminal case; no specific injury is attributed to him; he has already joined investigation; has fully cooperated with the investigating agency; as per the learned State counsel, he is not required for any further questioning and that the matter between the petitioner and the complainant has been compromised, I am of the opinion that the petitioner deserves to be granted anticipatory bail.

Resultantly, the present petition is allowed and the order dated 27.01.2017 granting ad-interim anticipatory bail to the petitioner is made absolute subject to the condition prescribed under Section 438(2) Cr.P.C.

Nothing observed herein above shall be considered to be an expression of opinion by this court on the merits of the case.

If during the period that the bail is granted to the petitioner, he is found indulging in any other criminal activity/misusing the concession of bail, it will be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the granted bail to the petitioner through this order.

(DEEPAK SIBAL)
JUDGE

May 26, 2017

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