

CRM-M-28178-2017

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

CRM-M-28178-2017

Date of Decision:28.08.2017

Sanjiv Kumar @ Sanjeev Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Lakhwinder Singh Mann, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Sanjiv Kumar @ Sanjeev Kumar has filed this second petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.23 dated 21.01.2016, registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib, under Section 174-A of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has appeared on behalf of respondent-State and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

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It has been brought into notice of this Court that the petitioner has already surrendered in the main case in which he was declared proclaimed offender and has been released on bail. In the present case, the petitioner is not required for custodial interrogation, rather he has only to face the trial. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

28.08.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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