

In the High Court of Punjab and Haryana at Chandigarh

212

CRM-M No.2892 of 2017

Date of decision: 7.2.2017

RAJ KUMAR

.....petitioner

Versus

STATE OF PUNJAB

.....respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Simranjeet Singh, Advocate,
for the petitioner.

Mr. Ankur Jain, AAG, Punjab.

RAJ MOHAN SINGH, J.(oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.65 dated 22.7.2016 under Sections 420, 120-B IPC registered at Police Station Kot Dharmu, District Mansa.

A perusal of the record shows that the application of the petitioner filed under Section 439 Cr.P.C. was wrongly treated to be an application under Section 438 Cr.P.C. and the same was rejected by the Additional District Judge, Mansa vide order datted 30.12.2016. However, at a subsequent stage, the said order was treated to be an order passed under Section 439 Cr.P.C. The fact remains that the application for grant of regular

bail was not decided on merits as the parameters for granting anticipatory bail are somehow different.

In view of above, liberty is granted to the petitioner to file a fresh petition before the Court of Session at Mansa for grant of regular bail. In the event of filing such application, the same shall be decided by the Court within a period of seven days.

Petition stands disposed of accordingly.

February 07, 2017
anita

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/Speaking

Yes/No

Whether reportable

Yes/No