

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

Criminal Misc. No.M- 31045 of 2017(O&M)

Date of Decision: November 7 , 2017.

Balvir Singh PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Munish Gupta, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.56 dated 24.07.2016 under Sections 354/354B/341/323 and 34 IPC, registered at Police Station Tallewal, District Barnala

Contentions on behalf of the petitioner noticed by this Court on 23.08.2017, read as under:-

“It is submitted that the present FIR has been registered due to a civil dispute with the complainant party, which is admittedly pending. Moreover, present is a case of version and cross version. The cross version was recorded on the statement of the co-accused

Jora Singh, who has been granted the concession of anticipatory bail by the learned Additional Sessions Judge, Barnala.”

It is submitted that the petitioner has joined investigation pursuant to aforesaid interim order dated 23.08.2017 passed by this Court. Challan in this case has also been presented. The petitioner undertakes to face the proceedings and not misuse the concession of anticipatory bail, if afforded to him. Therefore, it is prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Kuldeep Singh, submits that the petitioner has joined investigation. His custodial interrogation is not required as final report under Section 173 Cr.P.C. has since been presented.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 23.08.2017 is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

November 7, 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No