

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

CRM No.M-43836 of 2017 (O&M)

Date of decision: December 21, 2017

Gauravjit Singh alias Gora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. L.S.Lakhanpal, Advocate
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Gauravjit Singh alias Gora, has filed this 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.7, dated 05.02.2016, registered at Police Station Sadar Rampura, District Bathinda, under Sections 364/34 of the Indian Penal Code, Sections 302, 201, 109 and 120-B of the Indian Penal Code, added later on.

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

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

From the record, I find that though the petitioner has been named in the FIR but no injury has been attributed to him. He was not armed with any weapon. Simply he was accompanying other co-accused. No

active role has been attributed to the present petitioner. Earlier, the petitioner was found innocent by the investigating agency and now he has been summoned by the learned trial Court under Section 319 Cr.P.C.

In pursuance of the interim order dated 29.11.2017, passed by this Court, the petitioner has already appeared before the trial Court and has been released on interim bail. He has only to face the trial. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 29.11.2017, granting interim bail to the petitioner, is made absolute.

December 21, 2017
rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No