

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-6469 OF 2017(O&M)
DATE OF DECISION: 18.04.2017

Bhagwan Singh

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : None for the petitioner.

Mr. R. S. Nain, AAG, Punjab.

JITENDRA CHAUHAN, J. (ORAL)

The petitioner seeks pre-arrest bail in case FIR No.0005 dated 24.01.2017, registered under Sections 307/436/427 of the Indian Penal Code at Police Station Badali Ala Singh, District Fatehgarh Sahib.

Heard.

On 28.02.2017, the following order was passed:-

" *Learned senior counsel for the petitioner submits that, as a matter of fact, it is one Gaje Singh and not the petitioner (Bhagwan Singh), who is the owner of the sweet shop in which the person arrested, i.e Ram Avtar, was working and that the sweet shop was, in fact, taken on rent by the aforesaid Gaje Singh. In support of the aforesaid contention, a rent deed dated 19.7.2016 has been placed on record as Annexure P-1.*

Notice of motion, returnable on 18.4.2017.

On the asking of the Court, Mr. Rajesh Mehta, learned Addl. AG, Punjab, accepts notice.

A copy of the application be given to him during the course of day.

Adjourned to 18.4.2017.

In the meanwhile, on the petitioner joining investigation, in case he is sought to be arrested, he would be released on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaqa Magistrate. He shall, further, abide by all the conditions stipulated in Section 438 (2), Cr.P.C.”

Learned State counsel,, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 28.02.2017 is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

(JITENDRA CHAUHAN)
JUDGE

APRIL 18, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No