

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

**Crl. Misc. No.M-9029 of 2017 (O&M)
Date of Decision: September 27, 2017**

Ravinder Sharma

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.S.Malwai, Advocate
for the petitioner (s).

Mr. Luvinder Sofat, A.A.G. Punjab.

Mr. Gaurav Singla, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 32 dated 23.02.2017 registered for the offences punishable under Sections 186, 353, 332, 323, 148 read with Section 149 of Indian Penal Code at Police Station Dirba, District Sangrur.

Heard.

Learned State counsel on instructions from ASI Babu Singh submits that petitioner has joined the investigation but his custodial interrogation is required to effect the recovery of hockey sticks and motor cycle used in the occurrence on which the petitioner along with other co-accused have reached the place of occurrence.

As per the allegations in the FIR, the injury was caused to the petitioner with kick and fist blows. The occurrence has admittedly taken place outside the school, this matter is to be seen by the Investigating Officer as to whether the provisions of sections 186, 332, 353 are attracted to the present case.

Keeping in view the nature of injuries, which were declared simple in nature and the fact that the investigation is still in progress, this petition is allowed and the order dated 17.03.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

September 27, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***