

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

CRM-M-9354 of 2017 (O&M)

Date of decision: 06.04.2017

Harbhajan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Bhanu Pratap Singh, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. R.S. Athwal, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner seeks anticipatory bail in FIR No. 139 dated 08.09.2015, registered under Sections 302, 148, 120-B read with Section 149 of IPC, at Police Station Garhshankar, District Hoshiarpur.

It is contended that initially the petitioner has been kept in column No.2 after no incriminating evidence was found against him. Subsequently, has been summoned as an additional accused on the basis of application moved by the prosecution under Section 319 Cr.P.C. Even as per enquiry conducted by SSP, Hoshiarpur, no role

or injury has been attributed to the petitioner.

On the other hand, the learned State counsel opposes the bail application.

Heard.

It is to be noticed that in the enquiry conducted by SSP Hoshiarpur, it has been recorded that the petitioner along with one Bhupinder Singh was having a shop at Adda Chauhra near to each other. The complainant neither named nor raised any suspicion against the petitioner. Even in the statement of Tarsem Singh recorded under Section 161 Cr.P.C., there is no reference of name of the petitioner.

Keeping in view the above facts and circumstances of the case, it is ordered that in case the petitioner appears/surrenders before the trial Court within a week from today, in that eventuality, he shall be admitted to bail on his furnishing fresh bail/surety bonds to the satisfaction of the trial Court.

Disposed of.

06.04.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No