

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

204

CRM-M-9807 of 2017

Date of Decision: May 19, 2017

Rashpal Singh

....Petitioner

vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Rakhi Sharma, Advocate
for the petitioner.

Mr. A.S. Kaler, DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in F.I.R. No.21 dated 25.04.2016 under sections 353, 186, 188, 427, 34 of Indian Penal Code, registered at Police Station Verowal, District Tarn Taran.

On 27.03.2017, while issuing notice of motion, the following order was passed by this Court:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.21 dated 25.04.2016, under Sections 353, 186, 188, 427, 34 IPC, registered at Police Station Verowal, District Tarn Taran.

Counsel submits that FIR came to be registered on the statement of Sarabjit Singh on the allegations that his wheat crop standing on about 6 kanals of land has been burnt. The finger of suspicion was pointed towards owners of the adjoining fields i.e. Lakhwinder Singh, his son Rashpal Singh (present petitioner) and Sukhbir Kaur wife of Lakhwinder

Singh. Further allegations are that the accused party even scuffled with Head Constable Parminder Singh and tore his uniform.

Counsel would argue that insofar as entering into a scuffle with the police official is concerned, the allegations are not against the petitioner but only against his parents, namely, Lakhwinder Singh and Sukhbir Kaur and who were arrested and have been granted the benefit of bail. Further contended that the petitioner is a student of B.Tech studying in Mehar Chand College, Jalandhar and who was not even present at the spot and an attempt has been made by the complainant to rope in the entire family.

Notice of motion, returnable for 19.05.2017.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Hari Singh apprises the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

In the light of such stand taken on behalf of the State, prayer made in the present petition, is accepted.

The order dated 27.03.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.05.2017

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No