

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

CRM-M-9890-2017 (O&M)

Date of decision : 09.05.2017

Ashok Kumar

...Petitioner (s)

Versus

State of Punjab

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Balram Singh, Advocate
for the petitioner (s).

Mr. R.S. Nain, AAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.27, dated 24.02.2016, registered under Sections 326 and 324 read with Section 34 IPC, at Police Station Sadar, Phagwara, Distt. Kapurthala.

On 23.03.2017, the following order was passed:-

“Learned counsel contends that the occurrence took place on 19.02.2016 whereas the present FIR was registered on 24.02.2016, inadvertently reflected as 22.01.2016 in the first paragraph of the petition. In fact the petitioner was not present on the spot at the time of incident as on the same day the petitioner had boarded his flight to Doha. The occurrence took place at 3.30 p.m. and it was not physically possible to reach Delhi within such short span of time. Otherwise also the injuries attributed to the petitioner are on non-vital part.

Notice of motion for 09.05.2017.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1.That he shall make himself available for interrogation by a police officer as and when required;*
- 2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3.That he shall not leave India without prior permission of the Court.”*

The 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 23.03.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

09.05.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No