

CRM-M-13856-2018

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

CRM-M-13856-2018

Date of Decision: 28.08.2018

Sanjay

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.51 dated 06.03.2018, registered at Police Station Division No.6, District Ludhiana, under Sections 365, 379-B, 506, 323, 341, 148 and 149 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the present FIR has been registered on the statement of complainant-Tony. As per the complainant, when he

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was getting the petrol filled in his activa, then four co-accused, who were already present there, surrounded him and gave him beatings. Thereafter, they also called eight-ten boys by making phone calls, who also caused injuries to him. The present petitioner, who came there later on, is named in the FIR.

As per learned State counsel, there is only one fracture on the ankle and other injuries are mainly abrasions and contusions etc.

In pursuance of the interim order dated 04.04.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 04.04.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

28.08.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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