

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

(101)

CRM-M-23206-2018

Decided on: June 01, 2018.

Sandeep Kumar @ Sunny

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ruhani Chadha, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Petitioner along with Mandeep Kumar and one another had assaulted Shiva. The petitioner and Mandeep had been attributed grievous injury on the person of complainant whereas Honey co-accused had been attributed simple injury. The petitioner had been granted concession of bail under Section 167 (2) Cr.P.C as per order dated 13.04.2017 passed by Judicial Magistrate Ist Class, Amristar during pendency of the trial. An application was filed for committing the case prima facie on the ground that offence under Section 450 IPC had been added. The Sessions Court vide order dated 23.04.2018 had fixed the case for arguments on framing of charge under Section 450 IPC.

In view of said circumstances, the petitioner apprehends that he would be arrested, in case charge is framed against him under Section 450 IPC.

I have carefully considered the facts and circumstances.

The petitioner, being on bail in context to a particular allegation against him, is entitled to remain on bail on addition of any offence subsequent thereto.

Notice to Advocate General, Punjab.

On asking of the Court, Ms. Manjri Nehru Kaul, Addl. A.G., Punjab, present in the Court, accepts notice. Copy supplied.

In view of peculiar circumstances of this case, this petition for pre-arrest bail is disposed of with a direction that in case the Sessions Court arrive at a conclusion that a charge is to be framed against him under Section 450 IPC, he would not be arrested and will be given a fair opportunity to seek bail/anticipatory bail in the added offence and will not be arrested for next fifteen days after framing of charges.

(M.M.S. BEDI)
JUDGE

June 01, 2018.

harsha

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