

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-2545-2018(O&M)
Date of Decision: 23.02.2018

Gurpreet Tuteja

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. L.S. Sidhu, Advocate for the petitioner.

Mr. S.S. Sandhu, A.A.G., Punjab.

Mr. Tarunveer Vashisht, Advocate for the complainant.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.199 dated 29.10.2015 under sections 458, 323, 149, 427, 506 I.P.C, registered at Police Station, City Sunam, District Sangrur.

On 23.1.2018, 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 the concession of pre-arrest bail to the petitioner in case FIR No.199 dated 29.10.2015 under sections 458, 323, 149, 427, 506 I.P.C, registered at Police Station, City Sunam, District Sangrur.

Counsel would contend that during the course of investigation petitioner was found to be innocent on the premise that he was not even present at the spot of occurrence. However, in pursuance to an application under Section 319 Cr.P.C having been allowed, the petitioner has been summoned to face trial as an additional accused. The

attribution made by the complainant Gautam Tuteja is with regard to the present petitioner having landed a fist blow on his nose. Further allegations are that the present petitioner along with co-accused Jashan (juvenile) had even given beatings to the brother of the complainant. Counsel submits that under such peculiar circumstances, custodial interrogation of the petitioner is not warranted as he, otherwise, is ready and willing to join trial proceedings.

Notice of motion, returnable for 23.2.2018.

At this stage, Mr. Tarunveer Vashisht, Advocate, who is present in Court, accepts notice on behalf of complainant namely Gautam Tuteja.

In the meanwhile, it is directed that in case the petitioner puts in appearance before the Trial Court within a period of one week from today, he would be entitled to interim bail subject to satisfaction of the Trial Court.”

Subsequently in view of an application having been preferred, this Court on 16.2.2018 had issued a clarification that the interim directions dated 23.1.2018 would be read even for offence under section 459 I.P.C.

During the course of hearing today, it has gone uncontroverted that the petitioner has duly appeared before the Trial Court and has been admitted to interim bail upon furnishing requisite bail bonds/surety bonds.

Petitioner having joined trial proceedings, prayer made in the instant petition is allowed. The order dated 23.1.2018, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

23.02.2018

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