

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

**CRM-M No.28958 of 2018
Decided on: 14.11.2018**

Vakeel Sharma

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Gurinder Singh Hayer, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. P.K.S. Phoolka, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0078 dated 15.06.2018, registered under Sections 356, 353, 186, 506, 148, 149 of the Indian Penal Code (in short 'IPC') at Police Station Nehianwala, District Bathinda.

The operative part of the order dated 17.07.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Counsel for the petitioner has submitted that there are general allegations against the petitioner – Vakeel Sharma and he has been falsely implicated in the present case as he himself is working as a Gramin Dak Sevak Mail Carrier in Indian Postal Service Department. It is further submitted that the main accused Amanpreet Singh and Gagandeep Sharma, who were earlier arrested, have already been granted the concession of regular bail and recovery of the motorcycle and documents have already been effected. It is also submitted that the the petitioner – Vakeel Sharma is not a previous convict and is

a young boy aged about 24 years.

Counsel for the petitioner has further submitted that the allegation against the petitioner – Avtar Singh, are also of identical nature and no specific role is attributed to him and there is no MLR of the complainant with regard to causing any injury.

Counsel for the State, on instructions from HC Sukhdev Singh, assisted by counsel for the complainant has not disputed the fact that the motorcycle and documents have already been recovered from the co-accused, who have been granted the concession of regular bail by the trial Court. It is further submitted that the petitioners be directed to join the investigation.

List again on 14.11.2018....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 17.07.2018, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Harbans Singh, assisted with counsel for the complainant, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 17.07.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

14.11.2018

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No