

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-29735-2018

Date of Decision: 11.09.2018

Surinder Kumar @ Sonu

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Lalit Rishi, Advocate for
Mr. S.K. Choudhary, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. S.S. Goraya, Advocate
for the complainant.

...

Inderjit Singh, J.

Petitioner Surinder Kumar @ Sonu has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.13 dated 14.03.2018, registered at Police Station Division No.1, District Pathankot, under Sections 307, 326, 323, 324, 148 and 149 of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel and learned counsel for the complainant have appeared and contested this petition.

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

From the record, I find that the present petitioner has not been named in the FIR. He was empty handed. No injury has been attributed to him.

In pursuance of the interim order dated 18.07.2018, passed by

this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. No useful purpose would be served by sending the petitioner 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 18.07.2018, 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.

11.09.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No