

CRM-M-38879-2018

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

CRM-M-38879-2018

Date of Decision: 30.10.2018

Karanvir Singh @ Karan @ Gurcharan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. L.S.Lakhanpal, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.119 dated 31.05.2012, registered at Police Station Phase-I, Mohali, under Section 379 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.

As per the case of petitioner, he was acquitted by the trial Court, but the State filed an appeal before the Court of Session. He was not

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aware of filing of appeal as no notice was issued to him and warrant of arrest was issued against him.

Learned counsel for the petitioner submits that in compliance of the order dated 07.09.2018, the petitioner has already appeared before the lower appellate court and has been released on interim bail.

Keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details, I find that the petitioner is only to appear before the lower appellate court in the proceedings of appeal and no useful purpose will be served by sending him to custody, especially when he has been acquitted by the trial Court. Therefore, finding merit in this petition, the same is allowed. The order dated 07.09.2018, granting interim bail to the petitioner, is made absolute.

30.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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