

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

**CRM-M No.39956 of 2018
Date of Decision: 04.12.2018**

Ramesh Kumar @ Meshi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.0093 dated 13.07.2018, under Sections 307, 323, 148, 149 of the Indian Penal Code, 1860 and Section 3 & 4 of the SC & ST Act, 1989 (added later on) and Section 25 & 27 of Arms Act, 1959, registered at Police Station Ghall Khurd, District Ferozepur.

While issuing notice of motion, this court passed the following order on 12.09.2018 :-

“Learned counsel for the petitioner submits that though in the FIR, petitioner has been alleged to be armed with 'Sota' but no corresponding injury attributed to him was found on the person of injured. Police had added the offences punishable under Section 3 and 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 but no specific words constituting such offence have been attributed or find mentioned in the FIR.

Notice of motion for 04.12.2018. List with CRM-M-38159-2018.

Petitioner is directed to surrender before the police and join investigation within two weeks. In the event

of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

Learned State Counsel, on instructions from ASI Baljinder Singh, Police Station Ghall Khurd has acknowledged that in terms of the previous order the petitioner has joined the investigation and recovery was also effected and his custodial interrogation is no longer required in this case.

In view of above, the interim order dated 12.09.2018 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

December 04, 2018

Sunil Devi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No