

Criminal Misc. No. M- 39498 of 2017 (O&M)

Date of decision : February 23, 2018

Ashish Sharma

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. S.S. Taank, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 61/2017 dated 17.08.2017 under Sections 354, 323, 506, 149 IPC registered at Police Station d-Division, Amritsar.

It is submitted that the petitioner has been falsely implicated in the above-mentioned FIR, which has arisen essentially out of a parking dispute. Though it is submitted that none of the offences in the FIR are made against the petitioner, it is contended that especially no offence punishable under Section 354 IPC is made out on the basis of the FIR in question. Moreover, the petitioner has joined investigation. He undertakes to face proceedings. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Vijay Pal Singh, verifies that the petitioner has joined investigation and is not reported to be involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 17.10.2017 is made absolute.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

February 23, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No