

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

CRM-M-40679-2018

Date of Decision: 09.10.2018

Sandeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Himmat Deol, Advocate
for the petitioner.
Mr. Nikhil K. Chopra, Addl. A.G. Punjab.
Mr. Deepak Aggarwal, Advocate
for the complainant.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for anticipatory bail under the provision of Section 438 of Cr.P.C in case FIR No.66 dated 03.08.2018 registered under Section 307 IPC, 25, 27/54/59 Arms Act at Police Station Kotfatta District Bathinda.

2. On 3.10.2018, learned State counsel was directed to file additional reply insofar as examination of the petitioner read with the tower location. Perusal of para-2 of the additional reply, it is evident that prima facie petitioner was near the place of occurrence at Kotfatta. There is some discrepancy relating to the presence of the petitioner with reference to the fact that he was present at Kotshamir at 7.10 p.m and at 7.34 p.m. He was at Kotfatta.

3. Having regard to the additional reply filed by the State, petitioner is entitled to anticipatory bail.

4. Petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on pre-arrest anticipatory bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction subject to the conditions as envisaged under Section 438(2) Cr.P.C.

5. Petition stands allowed accordingly.

09.10.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No