

Balwinder Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ishan Gupta, Advocate
for the petitioner

Mr. Kirat Singh Sidhu, DAG Punjab

Sudhir Mittal, J. (Oral)

The present petition has been filed for grant of anticipatory bail to the petitioner in case FIR No. 115 dated 05.11.2017, registered under Sections 379-B, 34 IPC, at Police Station Chhajli.

Learned counsel for the petitioner submits that pursuant to interim protection granted vide order dated 12.12.2017, the petitioner has joined investigation. The police has already effected recovery from the co-accused. Two co-accused have also been acquitted by the trial Court vide judgment dated 27.08.2017, thus, the interim order dated 12.12.2017 may be made absolute.

Learned State counsel on instructions from ASI Paramjeet Singh submits that recovery has been effected and two co-accused have infact been acquitted by the trial Court. However, two other cases are pending against the petitioner Balwinder Singh as well as Gurwinder Singh and, thus, they are not entitled to the concession of anticipatory bail.

Keeping in view the fact that the recovery has been effected and that the petitioner is appearing before the Investigating Officer and is cooperating with

the investigation, no useful purpose would be served by sending him behind bars.

Accordingly, the petition is allowed and the interim bail granted to the petitioner vide order dated 12.12.2017, is hereby made absolute subject to his compliance of conditions enshrined under Section 438(2) of the Code of Criminal Procedure, 1973.

September 10, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No