

Sr. No.205
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-48356 of 2017 (O&M)

Date of Decision: 16.02.2018

Kanwar Naunihal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Dinesh Trehan, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.44 dated 26.03.2017, under Sections 323, 324, 326, 148/149 IPC, registered at Police Station Majitha, Police Station Rural, Amritsar.

While issuing notice of motion, the following order was passed by this Court on 18.12.2017:

“The petitioner is seeking anticipatory bail in FIR No.44 dated 26.03.2017 under Sections 323/324/326/148/149 IPC registered at Police Station Majitha, Police District Rural Amritsar.

Learned counsel for the petitioner contends that the FIR has been registered after five months of the alleged occurrence on 26.10.2016 and only simple injuries are attributed to the petitioner. He further contends that similarly situated coaccused

namely Mandeep Singh alias Vicky has been granted anticipatory bail by a co-ordinate Bench of this Court by the order dated 25.05.2017 passed in CRM No. M-17652 of 2017.

Issue notice to the respondent, returnable on 05.02.2018.

In the meantime, petitioner is directed to appear before the Investigating Officer and join the investigation.

In the event of arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall join investigation as and when called upon to do so and shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Gurmeet Singh apprises the Court that the petitioner has since joined investigation.

That apart the observations made by this Court in the notice of motion order have gone unrebutted.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 18.12.2017 passed by this Court is made absolute.

Disposed of.

16.02.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No