

Sr. No.211

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

CRM No. M-48786 of 2017 (O&M)

Date of Decision: 27.02.2018

Subhash Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. S.S.Sarwara, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, 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 in case FIR No.215 dated 08.11.2017, under Sections 308/325/323/148/149 IPC, registered at Police Station Lalru, District SAS Nagar Mohali, Punjab.

While issuing notice of motion, the following order was passed by this Court on 20.12.2017:-

Heard.

Learned counsel for the petitioner submits that injury attributed to the petitioner is simple in nature and it has been alleged that he has given a lathi blow on the person of father of complainant. The other accused, who have been attributed grievous injuries, are already in custody.

Notice of motion for 27.02.2018.

In the meanwhile, the 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 bail 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 upon instructions from ASI Sulakhan Singh, Police Station Handesara, Mohali apprised 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 un rebutted.

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

Prayer made in the petition is accepted.

Order dated 20.12.2017, passed by this Court is made absolute.

Disposed of.

27.02.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No