

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50206-2018

Date of Decision: 14.12.2018

Balkar Chand

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. I.P.S. Kohli, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Balkar Chand has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.169 dated 13.10.2016, registered at Police Station Sultanpur Lodhi, District Kapurthala under Sections 279, 304-A and 427 of the Indian Penal Code, 1860.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that all the offences in the FIR are bailable.

Learned counsel for the petitioner submitted that the present petitioner was never served in the Court proceedings and has been wrongly declared as proclaimed offender.

In pursuance of the interim order dated 15.11.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 15.11.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

14.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No