

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

**Criminal Misc.No.M-51415 of 2018 (O&M)
Date of Decision : 22.11.2018**

Ishwar Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Himanshu Sharma, Advocate for the petitioner.

RAJ SHEKHAR ATTRI, J. (Oral)

The petitioner has preferred the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.253 dated 04.11.2018, registered under Sections 323, 506, 34 IPC, at Police Station Rampura, District Rewari.

Learned counsel for the petitioner has submitted that both the offences under Sections 323 and 506 IPC are bailable yet the application for grant of anticipatory bail has been dismissed by the learned Addl. Sessions Judge, Rewari vide order dated 16.11.2018.

Heard. This court is of the view that the instant petition is not maintainable as both the offences are bailable. It seems that the learned Addl. Sessions Judge, Rewari failed to notice of this aspect. However, the petitioner has the remedy to seek bail by appearing before the Magistrate under the provisions of Section 436 Cr.P.C.

Disposed of accordingly.

**(RAJ SHEKHAR ATTRI)
JUDGE**

22.11.2018

mamta

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No