

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

**CRM-M No. 28486 of 2018
Date of Decision:-04.09.2019**

Rachpal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Mr. C.S. Bakshi, Advocate
for the complainant.

MANOJ BAJAJ J.(Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a Criminal Complaint case No.RBT No.23 dated 10.5.2017 (CIS No.4/2015) titled as “Balwinder Singh vs. Lal Singh and others” pending in the Court of Judicial Magistrate 1st Class, Zira, District Ferozepur, under Sections 302, 506, 120-B, 34 IPC. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 11.7.2018 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the

petitioner. The said order reads as under:-

“It has been pleaded that the petitioner acted at the instance of co-accused Lal Singh who has already been granted interim bail by this Court vide order dated 05.07.2018 in Criminal Misc.No.M-27475 of 2018. It has been further submitted that during investigation by the Special Investigating Team, nothing was found incriminating against the petitioner.

Notice of motion for 24.09.2018.

In the meanwhile, the petitioner is directed to surrender before the Arresting/Investigating Officer within seven days. On doing so, he shall be released on interim bail, subject to his furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. Failing which he shall lose the benefit of interim bail allowed to him.

To be heard alongwith Criminal Misc.No.M-27475 of 2018.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the learned trial Court on 16.7.2018 and has furnished requisite bonds to the satisfaction of the trial Court. Copy of the order dated 16.7.2018 passed by the trial Court has been placed on record.

Learned State counsel who is assisted by HC Saroop Singh does not dispute this fact that the petitioner submitted himself before the learned trial Court on 16.7.2018 and has furnished requisite bonds. Learned counsel on instructions from HC Saroop Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the petitioner is

allowed to remain on bail on the same bail bonds and surety, furnished by him before the trial Court on 16.7.2018.

The petition stands allowed.

September 04, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No