

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

205

CRM-M-35507-2018 (O & M)
Date of Decision:29.01.2019

Gurmukh Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ramanjeet Singh, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Harkirat Singh, Advocate
for the complainant.

MANOJ BAJAJ, J.(ORAL)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.66 dated 16.04.2018, under Sections 323, 341 and 295 of the Indian Penal Code ('IPC' – for short), registered at Police Station, Punjab Agriculture University, Ludhiana.

On 10.09.2018, this Court had passed the following order:-

“As per office report, notice issued to respondent No.2 has not been received back served or otherwise.

Let fresh notice be issued to respondent No.2 for 30.10.2018.

In the meanwhile, the petitioners are directed to

surrender before the Arresting/Investigating Officer within seven days. On doing so, they shall be released on interim bail, subject to their furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.”

Learned counsel for the petitioner contends that in pursuance of the order dated 10.09.2018, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Sukhdeep Singh submits that the petitioner has joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 10.09.2018, is made absolute.

The petition stands allowed.

29.01.2019
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No