

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

**CRM-M No.17420 of 2019
Date of decision: 22.04.2019**

Manik Chhatwal

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Toor, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of direction to respondent No.3 to take bail bonds of the petitioner in FIR No.20 dated 02.02.2019 (Annexure P1) registered under Sections 323, 341, 307, 506, 279, 148 and 149 IPC at Police Station Rupnagar, as the offence under Section 307 IPC has been substituted by an offence under Section 325 IPC.

The anticipatory bail application of the petitioner along with the co-accused was dismissed vide order dated 26.02.2019 passed in CRM-M No.7111 of 2019.

Counsel for the petitioner has submitted that subsequently the co-accused were arrested and they have been granted the concession of regular bail by the Court of Sessions. It is further submitted that later on, on the basis of the opinion given by the doctor, Section 307 IPC has been deleted by the police during the investigation and the case is now under Section 325 IPC.

Counsel for the petitioner has further argued that he is

ready to appear before the Investigating Officer and he be directed to accept the bail/surety bonds of the petitioner or in the alternative, he may give an advance notice for arrest.

After hearing the counsel for the parties, I find no merit in the present petition. The FIR is dated 02.02.2019. Even, if the offence under Section 325 IPC is bailable, it is open for the petitioner to surrender before the Illaqa Magistrate and apply for regular bail.

The petition is dismissed accordingly.

(ARVIND SINGH SANGWAN)
JUDGE

22.04.2019

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No