

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40160-2018

Date of decision: 23.01.2019

Roshandin

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Satish Chaudhary, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of anticipatory bail in FIR No.64 dated 27.02.2018 under Sections 328, 451, 149 IPC, registered at Police Station Phillaur, District Jalandhar.

While granting interim anticipatory bail to the petitioner, following order was passed on 21.09.2018: -

“.....This is the second petition filed for anticipatory bail. The first petition was dismissed on 27.04.2018. Learned counsel for the petitioner submits that during the investigation three of the co-accused including Mohd.Sharif @ Shaffi have been arrested and nothing has come on record that any over act is attributed to the petitioner from their disclosure statement. Therefore, the petitioner has filed the second petition for anticipatory bail on changed circumstances.

Learned State counsel on instructions from HC Jai Kumar submits that as per the allegations in the FIR, it is found that in

fact, the petitioner was found at the spot, however, no over act is attributed to the petitioner of administering poison to the complainant.....”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from ASI Ravinder Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 21.09.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

23.01.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No