

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

208

CRM-M-23495-2019 (O & M)
Date of Decision:15.10.2019

Mohammad Asif

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Munish Garg, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

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 case FIR No.61 dated 30.04.2015 under Sections 307, 323, 324, 148, 149 IPC, 1860, registered at Police Station Civil Lines, Bathinda. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.05.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that though the petitioner was named in the FIR, however, in the final report, the petitioner was not challaned. It is on 18.4.2019, the trial Court has allowed the application under Section 319 Cr.P.C. for summoning the petitioner as additional accused. It is the apprehension of the

petitioner that in case he appears pursuant to order dated 18.4.2019, he would be sent to judicial custody.

Let the petitioner appear appear on or before the date fixed before the trial Court and in that event he shall be admitted to interim regular bail subject to his furnishing the requisite bonds to the satisfaction of the trial Court.

Notice of motion 15.10.2019.”

Learned counsel for the petitioner further contends that in compliance of the said order, the petitioner has appeared before the trial Court on 04.06.2019, who has been released on interim regular bail upon furnishing the requisite bail bonds and surety bonds.

Learned State counsel on instructions from HC Jagdeep Singh does not dispute this fact that the petitioner appeared before the trial Court on 04.06.2019 and furnished the bail bonds and surety bonds.

Considering above, the petition is allowed and the petitioner shall remain on bail on the same bail bonds and surety bonds already furnished by him before the learned trial Court on 04.06.2019.

Disposed off.

15.10.2019

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(MANOJ BAJAJ)
JUDGE

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