

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-52041-2018

Date of decision: 23.01.2019

Harpal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Tarunveer Vashist, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.161 dated 13.10.2017 under Sections 365, 506 & 34 IPC and Section 25 of Arms Act, 1959 (Section 364-A IPC was added later on), registered at Police Station Lehra, District Sangrur.

While granting interim anticipatory bail to the petitioner, following order was passed on 27.11.2018: -

“.....Learned counsel for the petitioner submits that as per the allegations in the FIR, the incident is of 10.10.2017 and the FIR was registered on 13.10.2017 and no Test Identification Parade was conducted.

Learned counsel for the petitioner further submits that after registration of the FIR, the petitioner was arrested on 13.10.2017 and he was released on bail on 09.11.2017 by the Illaqa Magistrate. It is further submitted that after one year, co-accused

Raju was arrested and thereafter, the police has now added Section 364-A IPC and on that premise, the police is seeking to arrest the petitioner.

Learned counsel for the petitioner further submits that during the intervening period, no fresh evidence has come on record as the petitioner was not named in the FIR.....”

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 HC Major Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation and challan stands presented.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 27.11.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

23.01.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No