

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

**CRM-M-33770-2019
Date of decision: 13.09.2019**

Bachan Bedil

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. P. S. Ahluwalia, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.96 dated 27.07.2019 registered under Sections 224, 109, 420 at Police Station Longowal, District Sangrur.

The operative part of the order dated 21.08.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of PHG Gurmeet Singh, the petitioner visited the premises of Police Station Longowal and had taken away Sukhvir Singh @ Seera to surrender in an FIR No.95 dated 26.07.2019 under Sections 302 and 120-B IPC, Police Station Longowal. It is further alleged in the FIR that the petitioner after some time again came back and on the pretext of giving some medicines to the aforesaid Sukhvir Singh, he asked for a glass of water and when the complainant went to get the glass of water, the petitioner eloped with the aforesaid Sukhvir Singh. It is also submitted that it is undisputed that at that time when

Sukhvir Singh left the police premises, his formal arrest was not made in the aforesaid FIR and, therefore, the offence under Section 224 IPC will not be made out as he was not in the legal custody of the police. It is further submitted that it will be a debatable issue whether Sections 420/417 IPC are made out or not. It is also argued that the aforesaid Sukhvir Singh has already been arrested and is facing the trial.

Notice of motion for 13.09.2019.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 21.08.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from SI Hardip Sing, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 21.08.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

13.09.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No