

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-39086 of 2019
Date of Decision: September 19, 2019.

Yash Dubey

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Atul Goyal, Advocate, for the petitioner.
Mr.S.P.S.Tinna, Additional AG, Punjab.

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Anil Kshetarpal, J. (Oral)

Petitioner prays for pre-arrest bail in FIR No.105 dated 25.06.2019, registered under Section 295 IPC at Police Station Division No.2, District Police Commissionerate, Ludhiana.

Learned counsel for the petitioner relies upon a detailed order passed by this Court in CRM-M-31439 of 2019 (*Jenish Sharma versus State of Punjab*) and other connected cases. The allegations against the petitioner are that he was a member of a group which had served liquor in a bowl (baatta) by pronouncing it as Amrit (holy water). A video in this regard have gone viral which resulted into registration of the FIR.

Notice of motion.

On the asking of the Court, Mr.S.P.S.Tinna, learned Additional Advocate General, Punjab, accepts notice on behalf of the State. Let a copy of the petition be handed-over to him during the course of day.

This Court has already directed the Commissioner of Police, Ludhiana, to take a call within 15 days, whether it would be appropriate to continue with the criminal prosecution of young boys who may have

committed this small mistake.

Keeping in view the aforesaid facts, the present petition is disposed of by directing the petitioner to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer.

September 19, 2019

mohinder

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No