

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

CRM-M-45540-2019
Date of Decision:09.12.2019

Rajaram Yadav

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No.396 dated 26.08.2018 under
Section 341, 307, 325, 294, 506, 323, 148 and 149 of the Indian Penal
Code, registered at Police Station Focal Point, District Ludhiana.

On 24.10.2019 while issuing notice of motion, the
following order was passed by this Court:

*“ Contends that although petitioner is named in the FIR
but no injury has been attributed to him.*

Notice of motion for 09.12.2019.

*In the meanwhile, the petitioner is directed to join the
investigation before the Investigating Officer. In the
event of his arrest, the Arresting Officer would admit
him to interim bail till the next date of hearing on his
furnishing adequate bail and surety bonds to his
satisfaction. The petitioner is also directed to abide by
all the conditions as envisaged under Section 438(2)
Cr.P.C.”*

It is contended by learned counsel for the petitioner that

in terms of the above order, petitioner has already joined investigation.

Learned State counsel on instructions from HC Gurmeet Singh has acknowledged the above factual position and stated that the custodial interrogation of the petitioner is no longer required in the present case.

In view of the above, order dated 24.10.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

December 09, 2019

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Whether speaking/reasoned
Whether reportable?

yes/no
yes/no