

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

**CRM-M No.55630 of 2018 (O&M)
Date of Decision : 22.05.2019**

Darshan Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. S.P.Khera , Advocate for
Mr. L.M.Gulati, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.35 dated 05.05.2016 registered under Sections 307/382/341/323/427/506/148/149 IPC at Police Station City Raikot, District Ludhiana.

On 17.12.2018 the following order was passed:-

“It has been submitted that the present FIR is the counter blast of FIR No.34 dated 05.05.2016, registered under Section 11 of the Prevention of Animal to Cruelty Act and Sections 4A, 4B and 8 of the Cow Slaughter Act and Section 120-B IPC, at Police Station City Raikot, District Ludhiana.

It has also been submitted that the offence under Section 307 IPC is not attributed to the present petitioner rather it has been attributed to co-accused Ranjit Kumar. It has been further submitted that co-accused Raghunandan God &

Varinder Singh and Rajnish Kumar & Anuj Kumar have already been granted anticipatory bail by this court vide orders dated 16.05.2017 and 16.01.2018 in CRM M-9674-2017 and CRM M-17619- 2017 respectively.

Notice of motion for 12.02.2019.

In the meanwhile, the petitioner is directed to surrender before the Arresting/Investigating Officer within seven days. On doing so, he shall be released on interim bail, subject to his furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

Learned State counsel on instructions from ASI Gurmeet Singh accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 17.12.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

22.05.2019
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No