

CRM-M-54748-2018

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

CRM-M-54748-2018

Date of Decision: 01.02.2019

Gurbachan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.98 dated 01.10.2018, registered at Police Station Moonak, District Sangrur, under Sections 341, 379-B, 395, 201, 148 and 149 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

As per the prosecution version, the present FIR has been registered on the application of Ajay Kumar @ Avad Kumar. As per the

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The main allegations are that when the truck alongwith its driver and helper reached near village Karrali, then Mukhtiar Kamboj alongwith 4-5 persons arrived there and surrounded it and get it stopped. When driver Satpal Singh asked their names, they started calling bad names to him and snatched the papers forcibly and parked the truck in Grain Market.

Perusal of FIR shows that the present petitioner is not named in the FIR. Otherwise also, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 11.12.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

01.02.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No