

CRM-M-13074-2020

Date of decision : 23.6.2020

Charanjit Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Varun Sharma, Advocate for petitioner.

Mr. H.S. Sullar, DAG Punjab.

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HARINDER SINGH SIDHU, J.

The case has been taken up by way of Video Conference as per instructions in view of COVID-19 pandemic.

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 190, dated 6.11.2019, registered under Sections 186, 283, 294 IPC and under Section 8 B of National Highway Act, 1956 at Police Station Mehatpur, District Jalandhar.

Vide order dated 28.5.2020, petitioners were directed to join investigation. Vide order dated 18.6.2020, learned State counsel was requested to seek instructions as to whether road in question was actually a National Highway or not and consequently, whether the provisions of National Highway Act, 1956 would be applicable.

Shri H.S. Sullar, learned DAG Punjab, on instructions states that it has been verified that road in question was not a National Highway and it was a scheduled road. Accordingly, offence under Section 8 B of National Highway Act, 1956 is not applicable.

In view of above, petition is allowed. The order dated 28.5.2020, granting interim anticipatory bail to the petitioners, is made absolute. However, petitioners shall join investigation as and when called upon to do so by the Investigating Agency and shall abide by conditions of Section 438 (2) Cr.P.C.

(HARINDER SINGH SIDHU)
JUDGE

23.6.2020

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No