

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14649-2020(O&M)

Date of decision: 18.6.2020

Hassan Khan

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Rakesh Gupta, Advocate for the petitioner

Mr. S.P.S.Tinna, Addl. AG, Punjab

Mr. Tejinder Joshi, Advocate for the complainant

ANIL KSHETARPAL, J. (ORAL)

On 10.6.2020, following order was passed by this Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.106 dated 23.05.2020 registered under Sections 323, 458, 506 and 34 of the Indian Penal Code at Police Station Sadar Nabha, District Patiala.

In a nutshell, the case of the prosecution has been noticed by learned Additional Sessions Judge in para 5 of the impugned order, which is extracted as under:-

“5. It is the case of prosecution that complainant Laddi son of Nachhatar Singh that on 22.5.2020, he

was going home on his motor cycle. At about 9.30p.m, he reached his house and while he was entering inside his house, Hassan Khan, Nasar Ali, Happy Khan and Sehzaad Khan armed with weapons entered his house and caused injuries on his person.”

Learned counsel for the petitioner submits that the petitioner has been falsely implicated. Rather it was the first informant who used to drive Royal Enfield motorcycle (in common parlance known as Bullet) after removing its silencer resulting in huge noise.

Notice of motion.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 18.06.2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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.”

Learned State counsel on instructions from ASI Gurbachan

Singh submitted that the petitioner has joined investigation, cooperated and not required for further custodial interrogation.

Sh. Tejinder Joshi, Advocate has appeared for the first informant.

In view of the above, order dated 10.6.2020 is hereby made absolute.

Petition stands allowed.

18.6.2020	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No