

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

201

CRM-M No.38166 of 2019 (O&M)

Date of Decision:- 27.01.2020

Yogesh Kumar

...Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Umesh Aggarwal, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.142 dated 14.05.2018, registered under Sections 353, 186, 427, 506 and 149 of IPC at Police Station 'A' Division, Amritsar.

Offence under Section 353 IPC is an aggravated form of offence under Section 186 IPC which is non-cognizable in nature, other offences are also non-cognizable.

On 09.09.2019, the following order was passed:-

“It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Still further, it is submitted that before removal of any alleged illegal projection, the petitioner was not given any notice by the complainant or by the Municipal Corporation. There exists no order of any demolition as such. Therefore, there is no question of the complainant coming to the house of the petitioner forefecting any demolition. Still further, it is submitted that nothing is to be recovered in this case.

Notice of motion for 27.01.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his 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 Jaspal Singh states that the petitioner has joined the investigation and he is no more required for any further investigation of the case.

In view of the statement made by learned State counsel, order dated 09.09.2019 passed by the Coordinate

Bench is made absolute, however petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of.

27.01.2020

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(Raj Mohan Singh)
Judge

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No