

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

**CRM-M No. 46125 of 2019
Date of decision : 23.01.2020**

Karnail Singh @ Ladha

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab
for respondent-State.

ARUN KUMAR TYAGI, J. (ORAL)

Prayer in this petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.208 dated 05.11.2016 registered under Sections 295, 160, 323, 326 and 120-B of the Indian Penal Code, 1860 at Police Station Jandiala, District Amritsar.

Vide order dated 05.11.2019 passed by this Court, the petitioner was granted interim anticipatory bail with direction to join the investigation.

Learned State Counsel has appeared on behalf of the respondent-State and opposed the bail application.

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

Learned Counsel for the petitioner has submitted that the petitioner was falsely implicated in the present case. He was not present on the spot. The petitioner has joined the investigation and his custodial

interrogation is not required.

Learned State Counsel has acknowledged that in compliance with order dated 05.11.2019 passed by this Court, the petitioner has joined investigation and submitted that his custodial interrogation is not required for effecting any further recovery.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail. Therefore, the petition is allowed and order dated 05.11.2019 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation again as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C.

23.01.2020

Rajeev (rvs)

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No