

CRM-M-51955-2019

Date of decision: 11.02.2020

SONU SHAH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Preetinder S. Ahluwalia, Advocate
for the petitioner.

Mr. Balbir Singh Sewak, Addl. AG, Punjab

VIVEK PURI, J. (ORAL)

On 06.12.2019, the following order was passed.

“Prayer is for grant of anticipatory bail in case FIR No.60 dated 16.04.2018 under Sections 431,341, 283 IPC and Section 8-B of National Highway Act, 1956 registered at P.S Bhawanigarh.

As per allegations, the petitioner along with co-accused and others is alleged to have blocked National Highway main road bus stop Kalajhar and Munshiwala turning point by staging dharna and thus caused obstructions in the movement of the people as also the vehicles of the passerbye. Learned counsel for the petitioner contends that the petitioner has falsely been embroiled and that nothing is to be recovered from the petitioner. He is ready to join the investigation and cooperate with the investigating agency.

Notice of motion for 04.2.2020.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer,

subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required”.

It has been fairly stated by the learned State counsel that the petitioner has joined the investigation and is no more required for the further proceedings.

As such, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

Without expressing any opinion on the merits of the case, the order dated 06.12.2019, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition is accordingly, allowed.

11.02.2020
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(VIVEK PURI)
JUDGE

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