

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CRM-M-49109 of 2021
Date of Decision : 06.12.2021

Ashok Kumar ...Petitioner

Versus

State of Punjab ...Respondent

CORAM : HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Nakul Sharma, Advocate for the petitioner.
Mr. Harsimar Singh Sitta, AAG, Punjab.
Mr. Puneet Kumar Bansal, Advocate for the complainant.

(Through Video Conferencing)

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0102	30.09.2021	Cantt. Ferozepur, District Ferozepur.	307, 365,, 363, 323, 506, 427, 148 and 149 of IPC, 1860 and Sections 25 and 27 of Arms Act, 1959.

The petitioner, who is apprehending arrest came up before this Court under Section 438 Cr.P.C., seeking anticipatory bail.

2. Vide order dated 29.11.2021, this Court had granted interim anticipatory bail to the petitioner.
3. Learned counsel for the petitioner submits that in compliance of the previous order dated 29.11.2021, the petitioner has joined the investigation.
4. This fact has not been disputed by the learned State counsel. On the contrary, it has been argued on behalf of the State that the offence is heinous and the petitioner is a habitual offender and has strongly opposed the bail. He further

submits that in case this Court is inclined to give the bail to the petitioner then it should be subject to the strict and stringent conditions.

5. The criminal history of the petitioner is not a serious factor to deny him the relief of bail in the present case as allegedly have been stated in the petition.

6. Given the nature of allegations, no pre-trial incarceration is required. Without commenting on the case's merits and the circumstances peculiar to this case, the petitioner makes a case for release on bail,.

7. Consequently, the present petition is allowed. The order dated 29.11.2021 is hereby made absolute on the same terms and conditions. It is made clear that the petitioner shall stay away one kilometer from the radius of residence of the complainant/victim, till the recording of statement.

{ANOOP CHITKARA}
JUDGE

06.12. 2021
Manpreet

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>