

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-27759-2022

Date of decision : 16.08.2022

Bholanath @ Bhola Ram

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms.Harmeet Kaur, Advocate for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

Mr.Munish Puri, Advocate for the complainant.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.0039 dated 17.05.2022 registered under Sections 307, 323, 506, 148, 149 IPC at Police Station Sadar Pathankot, District Pathankot.

On 30.06.2022, this Court was pleased to pass the following order:-

“Inter alia contends that the petitioner is an old person of 66 years of age and has never been involved in any other criminal case and although, in the FIR there is no specific attribution to the petitioner but even as per the statement of Tara Chand, only one injury has been attributed to the petitioner on the wrist which has been declared as simple. It is further submitted that infact, the present petitioner had also suffered injuries in the said incident and has referred to the MLR dated 17.05.2022 (Annexure P-2) and also the photographs (Annexure P-3).

Notice of motion for 16.08.2022.

In the meantime, in the event of arrest, the petitioner is ordered to 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.
30.06.2022”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Balwinder Kumar, has submitted that the petitioner has joined investigation on 10.07.2022 and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 30.06.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 30.06.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

August 16, 2022
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No