

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

201

CRM-M 4124 of 2023

Date of Decision: 03.05.2023

Bodh Raj

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. S.K. Choudhary, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

GURBIR SINGH, J (ORAL)

The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.2, dated 03.01.2023, under Sections 307, 447, 506, 511, 148, 149 IPC (later on offence under Section 295-A IPC has been added), registered at Police Station Sujanpur, District Pathankot.

On 25.01.2023, the following order was passed:-

'The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.2, dated 03.01.2023, under Sections 307, 447, 506, 511, 148, 149 IPC (later on offence under Section 295-A IPC has been added), registered at Police Station Sujanpur, District Pathankot.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. No injury is attributed to the petitioner. Allegations against the petitioner in the FIR are that the petitioner and others were standing behind the accused and they were also their associates. The petitioner was not even armed with any weapon. He is ready

to join the investigation. Notice of motion. At the asking of the Court, Mr. Jaiteshwar S. Bhandari, AAG, Punjab, appears and accepts notice on behalf of the respondent-State. A copy of the paper book be supplied to him during the course of the day. He seeks some time to file status report. Adjourned to 03.05.2023. Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit '.

Learned State counsel, on instructions from ASI Dharampal, states that in compliance of order dated 25.01.2023, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of the above, the order dated 25.01.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by all the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

03.05.2023

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**(GURBIR SINGH)
JUDGE**

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