

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.203

CRM-M-10808-2023

Date of decision : 04.05.2023

Lakhwinder Singh Behla

.....Petitioner

*Versus*

Union of India

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr.R.G.Singh, Advocate, for the petitioner.

Ms.Sharmila Sharma, Senior Panel Counsel for UOI.

\* \* \* \* \*

DEEPAK SIBAL, J. (Oral)

(1) Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in case/complaint No.256 dated 15.09.2022 registered under Section 160(2) of the Railway Act, 1989 at Police Station Railway Protection Force, Chandigarh.

(2) On 01.03.2023 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case; the petitioner has no other criminal antecedents; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the only allegation against the petitioner is that while the petitioner was driving his vehicle the same hit the barricade when the same was being closed on account of incoming train; for the above allegation the custodial interrogation of the petitioner is not necessary and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms.Sharmila Sharma, Senior Panel Counsel, accepts notice on behalf of the respondent-Union of India.

For arguments, adjourned to 04.05.2023.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in Case/ Complaint No.256, dated 15.09.2022, registered under Sections 160(2) of the Railways Act, 1989 at Police Station Railway Protection Force, Chandigarh, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

(3) Learned counsel for UOI submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that he is not required for investigation purposes.

(4) In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of UOI, subject to the petitioner’s abiding by the conditions prescribed under Section 438(2) Cr.P.C the order of this Court dated 01.03.2023, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

04.05.2023  
shamsher

[DEEPAK SIBAL]  
JUDGE

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