

103

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

CRM M - 56451-2023
Date of decision: 08.11.2023*Satnam Singh alias Noni Singh**.....Petitioner**Versus**State of Punjab**.....Respondent***Coram: Hon'ble Mr. Justice Rajbir Sehrawat**Present: Mr. Armaan Gagneja, Advocate
for the petitioner

-.-

Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 139 dated 10.09.2023, registered under Sections 452, 379-B, 323, 324, 506, 148, 149 of the Indian Penal Code (Section 380 IPC added later on, vide GD No. 25 dated 16.09.2023 after deleting Section 379-B IPC), at Police Station Jaitu, District Faridkot.

It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner has not committed any crime at all. Even as per the story of the prosecution, no specific allegation has been levelled against the petitioner, except that, the petitioner had asked the complainant to get back. The petitioner shall join the investigation as and when called for by the Police. There is no other case against the petitioner. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent - State.

Counsel for the State being instructed by ASI Jagsir Singh has submitted that the petitioner was very much participated in the incident. Therefore, he does not deserve to be protected against his arrest. However, it is not disputed that there is no specific allegation against the petitioner, except that, he had asked the complainant to get back. It is also not disputed that there is no other case against the petitioner.

In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of the 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.

(Rajbir Sehrawat)
Judge

November 08, 2023
mohan bimbra

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