

CRM-M-64418-2023
Date of decision: 21.12.2023

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Mr. I.P.S. Sabharwal, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in a case bearing FIR No.146 dated 25.08.2023 under Sections 379-B/341/511 of IPC (Section 411 of IPC added later on) registered at Police Station Beas, Police District Amritsar.

Learned counsel for the petitioner *inter alia* contends that the FIR (*supra*) was registered against the petitioner and two other persons, namely, Shamsher Singh @ Shera and Mangal Singh @ Manga and the petitioner was arrested on 28.08.2023. The petitioner was released on bail to the satisfaction of the learned Sub Divisional Judicial Magistrate, Baba Bakala, District Amritsar on 20.11.2023. The Investigating Agency after conclusion of the investigation has filed final report under Section 173 of Cr.P.C. on 21.10.2023 by adding Section 411 of IPC along with the other offences under which the FIR was lodged. The offence under Section 411 of IPC is non-bailable. The

petitioner filed anticipatory bail before the learned District Court at Amritsar and the same was declined vide impugned order dated 05.12.2023 (Annexure P-1). He further submits that the presence of the petitioner is required before the learned trial Court and he undertakes to appear before the learned trial Court on each and every date.

Having heard learned counsel for the parties and after perusal of the record, the present petition is disposed of with a direction to the learned trial Court to admit the petitioner on regular bail under Section 411 of IPC on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

21.12.2023
Neha

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