

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-12461-2015

Date of decision: 23.07.2015

Amarbir Singh @ Ambi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Gazi Mohd., DAG, Punjab.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in FIR No. 72 dated 16.09.2014 registered under Sections 336/341/506 read with Section 34 of the Indian Penal Code (IPC) and Section 25 of the Arms Act at Police Station Rawal Pindi, Phagwara, District Kapurthala.

When this case was listed on 22.04.2015, following order was passed:-

“It is *inter alia* contended that a shot was fired in air by co-accused in the FIR, namely; Sukhjinder Singh @ Sukha and name of the petitioner was disclosed by him otherwise it was the version that another person was accompanying Sukhjinder Singh @ Sukha aforesaid. It is further contended that no major role has been attributed to the petitioner and this

is a no injury case.

Notice of motion for 23.07.2015.

Meanwhile, in the event of arrest of the petitioner, he shall be released on bail by the Arresting/Investigating Officer. The petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C. He is directed not to leave the country without prior permission of the Court concerned.”

On instructions from ASI Suminder Singh, learned State counsel submits that petitioner has joined the investigation and he is no more required for further interrogation. It is further submitted by learned State counsel that there was another FIR No. 59 dated 26.06.2014, for offences under Sections 336 IPC etc. and the Arms Act against the petitioner and in that FIR also allegation was that the co-accused in the said case had fired shot in the said incident. Even in the present case, the allegation is that co-accused Sukhjinder Singh @ Sukha, fired a shot from his weapon and now he is in custody.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the interim bail granted to the petitioner vide order dated 22.04.2015 is made absolute and the petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C.

July 23, 2015
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(R.P. NAGRATH)
JUDGE