

CRM-M-13343-2016

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-13343-2016

Date of Decision: 17.08.2016

Gurpal Singh @ Pala Doctor

... Petitioner(s)

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ranjodh Singh Sidhu, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail to the petitioner in case FIR No.44 dated 04.03.2016, registered at Police Station Sadar Tarn Taran, District Tarn Taran, under Sections 382, 336, 506 and 34 of the Indian Penal Code and Sections 25 and 27 of the Arms Act.

Notice of motion has been issued in this case.

Ms. Shivali, Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned State counsel and have gone through the record.

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As per the allegations in the FIR which was registered on the statement of complainant-Jasbir Singh, he was robbed of ₹700/- under the threat of a firearm at 6.30 P.M. approximately, on 03.03.2016.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case as version of the complainant is highly improbable. There is a delay of 24 hours in the registration of FIR in spite of the allegation that the complainant knew the accused before the occurrence.

In pursuance of the interim order dated 10.05.2016 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 10.05.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

17.08.2016

parveen kumar

Whether speaking/reasoned

Whether reportable

: Yes

: No

(INDERJIT SINGH)
JUDGE