

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26049 of 2016
DECIDED ON: August 22, 2016

SUKHMANDER SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Amarinder Sandhu, Advocate,
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

Mr. P.S. Dhaliwal, Advocate,
for the complainant.

JASPAL SINGH, J.

Instant petition has been preferred under Section 438 of the Code of Criminal Procedure by Sukhmander Singh-petitioner, seeking pre-arrest bail in case FIR No. 35, dated 14.06.2016, under Sections 307, 148, 149 IPC read with Section 25/27 of the Arms Act, Police Station Mehal Kalan, District Barnala.

2. A perusal of FIR transpires that no specific role has been attributed to the petitioner. Similarly, no injury has also been ascribed to him. Moreover, during the course of occurrence members of both the parties sustained injuries and it is yet to be established that which of the parties was aggressor one. Similarly, there is nothing on the record to suggest that petitioner was armed with any weapon at the time of alleged occurrence. Moreover, the gun shot injuries have been attributed to Manpreet Singh-non-applicant.

3. Without expressing any opinion on the merits of the case and considering the above referred facts, this Court deems it a fit case to grant the concession of pre-arrest bail. Accordingly, petition is allowed and petitioner is directed to join the investigation within a one week from the date of receipt of certified copy of this order. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

- (i) that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- (i) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave India without the previous permission of the Court.*

August 22, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*