

**Sr. No. 215
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-43655 of 2015
Date of Decision: 10.03.2016**

Jagandeep Singh @ Jaggu

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Hemant Saini, Advocate,
for the petitioner.

Mr. K.D.Sachdeva, Additional A.G.Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.277 dated 07.11.2015, under Sections 336, 34 of Indian Penal Code and Section 25/27 of Arms Act, registered at Police Station Sultanwind, District Amritsar.

While issuing notice of motion, the following order was passed by this Court on 23.12.2015:-

“Learned counsel for the petitioner has submitted that it is a case of no injury.

Notice of motion for 10.03.2016.

In the meantime, in the event of arrest, petitioner be admitted to interim bail subject to the satisfaction of the Arresting Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

Learned State counsel upon instructions from ASI

Karamjit Singh would apprise the Court that the petitioner has since joined investigation. However, the present petition is opposed on the ground that the recovery of the weapon/pistol is yet to be effected.

It would be apposite to take note that even as per version of Lakhwinder Singh complainant, the present petitioner was allegedly accompanied by 3-4 other young boys and as per his version, the firing has been resorted not to cause any injury but only to scare him and the firing has been aimed on the ground near his legs.

The petitioner having joined investigation, custodial interrogation as such would not be warranted.

Petition is allowed. Order dated 23.12.2015, passed by this Court, is made absolute.

Disposed of.

10.03.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**