

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-1438-2017

Date of Decision: 24.03.2017

Gurjant Singh @ Jainta

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vipul Aggarwal, Advocate,
for the petitioner.

INDERJIT SINGH, J. (Oral)

Petitioner-Gurjant Singh @ Jainta has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.129 dated 19.08.2016, registered at Police Station Kamboj, District Amritsar Rural, under Sections 307, 323, 427, 148 and 149 of the Indian Penal Code and Sections 25 and 27 of the Arms Act, 1959.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that though, the petitioner has been named in the FIR and stated to be armed with *kirpan*, but no injury has been attributed to him.

Learned counsel for the petitioner has also attached birth certificate of the petitioner as Annexure P-2 which shows that his date of birth is 27.10.2001.

In pursuance of the interim order dated 19.01.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioner to custody.

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, I find merit in this petition and the same is allowed. The order dated 19.01.2017, 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.

24.03.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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