

**Sr. No.260
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-20922 of 2016 (O&M)

Date of Decision:24.01.2017

Mohan Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

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

Present:- Mr. Jatinder Pal Singh, Advocate,
for the petitioners.

Mr. Varun Sharma, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.61 dated 07.05.2016, under Sections 307/323/148/149 of Indian Penal Code and Sections 25/27 of Arms Act, registered at Police Station Zira, District Ferozepur.

While issuing notice of motion, the following order was passed by this Court on 13.06.2016:-

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.61 dated 07.05.2016, under Sections 307/323/148/149 of Indian Penal Code and Sections 25/27 of Arms Act, registered at Police Station Zira, District Ferozepur.

Counsel would submit that the dispute essentially was between the complainant Sukhdeep Singh and co-accused Nachattar Singh with regard to a built up premises within the Lal Dora of the village. It is submitted that the premises in question had been purchased by Nachattar Singh co-accused from Sukhdeep Singh and even possession was delivered but a dispute arose with regard to some outstanding payment. In the

alleged occurrence, it is Nachattar Singh who has fired shots at the complainant as also his father, namely, Hardeep Singh and who have suffered firearm injuries. Precise contention raised is that the present petitioners have been roped in only on the basis that they were staying within the premises on the asking of the main accused Nachattar Singh. It is also argued that no specific injury has been attributed to the present petitioners.

Notice of motion, returnable for 19.09.2016.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Sudesh Kumar would apprise the Court that the petitioners have since joined investigation.

That apart the observations made by this Court in the order dated 13.06.2016 have gone unrebutted.

Under such circumstances, prayer made in the present petition is accepted. Petition is allowed. Order dated 13.06.2016 passed by this Court is made absolute.

Petition disposed of.

24.01.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
Yes