

CRM-M-21118-2017

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

CRM-M-21118-2017

Date of Decision: 21.09.2017

Gurmeet Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. A.S.Sullar, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. A.K.Walia, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Gurmeet Singh 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.158 dated 27.12.2016, registered at Police Station Sadhaura, District Yamuna Nagar, under Sections 148, 149, 323 and 307 of IPC and Section 25 of the Arms Act, 1959.

Notice of motion has been issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

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

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From the record, I find that as per the prosecution version, no injury has been caused with fire-arm weapon. There are three simple injuries. The petitioner has been nominated on the basis of statement of co-accused who stated that the petitioner fired from the weapon.

In pursuance of the interim order dated 06.06.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him 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 06.06.2017, 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.

21.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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