

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

**Crl. Misc. No.M-27192 of 2017 (O&M)
Date of Decision: December 12, 2017**

Pentu Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Baltej Singh Sidhu, Advocate
for the petitioner (s).

Ms. Seena Mand, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 51 dated 31.05.2017 registered for the offences punishable under Sections 341, 506, 427, 379, 148 read with Section 149 of Indian Penal Code; 25, 27 of Arms Act; 25-C of the Telegraph Wires (Unlawful Possession) Act, 1950 and 10 of Essential Services Maintenance Act, 1981 at Police Station Mehna , District Moga.

Heard.

Learned counsel for the petitioner submits that the company has got registered 13 more FIRs against other employees of the company at various places is an attempt to get rid of its employees, who were working with it at the salary of around ₹15,000/- per month, to replace them with

employee at lesser salary.

Learned State counsel on instructions from ASI Pritam Singh submits that the petitioner who was contractual employee of complainant has joined the investigation. However, the investigating officer is not aware whether the company has got registered 13 more FIRs against the other employees as alleged by the petitioner. She further submits that custodial interrogation of petitioner is required to recover of pistol which was pointed towards the complainant at the time of incident.

Admittedly, petitioner was an employee of company of complainant on the day of incident. Investigating officer has not taken any termination order of service of the petitioner on record. Version of petitioner that this FIR is an attempt to get rid of him by complainant company which has got recorded several other such FIRs against its other employees, as well, is to be looked into during investigation.

Keeping in view of above facts but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 28.07.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him 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 prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the

presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

December 12, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>