

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

204

**CRM-M-39620-2017
DATE OF DECISION: 07.12.2017**

GAGANDEEP SINGH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jagjit Singh Gill, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.123 dated 21.08.2017, under Sections 353, 186, 506, 430, 34 of IPC and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Odhan, District Sirsa.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he had put rubber pipes across the canal and was stealing the water. He further states that no injuries have been caused in the incident and the allegation is that he had taken out his pistol and threatened the complainant. He further contends that the incident is stated to have taken place on the intervening night of 20th and 21st of August, 2017 and from the special girdawari conducted by Zildar of the Irrigation Department, it is evident that from 20.08.2017 to 22.08.2017, the fields of the petitioner were not irrigated.

This Court, by the order dated 03.11.2017, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Kheta Ram, states that the petitioner has joined investigation but the weapon is yet to be recovered.

In view of the submissions of learned counsel for the petitioner and keeping in view that the alleged weapon was not used, the order dated 03.11.2017 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

07.12.2017*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

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