

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

**CRM NO. M-39995 OF 2017
DECIDED ON : 29.11.2017**

Sukhpreet @ Kaka

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. S. P. S. Sidhu, Advocate,
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.273 dated 26.10.2016 under Sections 147/148/149/285/427/447 IPC and Sections 25/27 of Arms Act, registered at Police Station Sadar Sirsa.

Learned counsel for the petitioner contends that allegations against the petitioner are that he along with others, being armed with dandas and lathis went to the fields of Sewak Singh and had damaged the room and tubewell. He further contends that all the afore-noted offences are bailable, except offence under the Arms Act, which is attributable to co-accused Sandeep Kumar and Rakesh Kumar, who are alleged to have fired a shot each from their pistols at the complainant which did not actually hit the complainant. He further contends that the aforesaid land had in fact been sold by the father of Sewak Singh

to Sandeep Kumar. There was disagreement regarding execution of the agreement to sell but the suit for specific performance was decreed by the First Appellate Court in favour of Sandeep Kumar. A copy of order of Additional District Judge is annexed as Annexure P-2 (colly).

This Court, by the order dated 26.10.2017, had directed the petitioner to join investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from HC Hanuman Singh, states that in pursuance to the order dated 26.10.2017, the petitioner has joined investigation and is not required for custodial interrogation.

In view of the above and without expressing any opinion on the merits of case, the order dated 26.10.2017, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

NOVEMBER 29, 2017
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1. Whether speaking/reasoned : YES/NO
2. Whether reportable : YES/NO