

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4464 of 2017

Date of Decision: 27.02.2017

Harpreet Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Charanpreet Singh, Advocate
for Mr. B.S. Kathuria, Advocate
for the petitioner.

Mr. Jashanpreet Singh, A.A.G., 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. 102 dated 27.08.2016 registered for offences punishable under Sections 302, 307, 324, 148 read with Section 149 of Indian Penal Code (for short 'IPC') and 25/27 of the Arms Act, at Police Station Hathur, District Ludhiana.

Heard.

Vide FIR No. 102 dated 27.08.2016, a cross-version of the occurrence that took place on 26.08.2016 was recorded on the statement of one Gurwinder Singh son of Balbir Singh. As per FIR, the occurrence took place in the *Gurudwara* premises and Hira Singh and Balbir Singh received fire arm injuries resulting in their death at the spot. As per cross-version case, the petitioner was member of unlawful assembly and was having *kirpan* in his hand but no injury has been attributed to him. After investigation challan has already been presented by the police against other

accused in the main case and cross-case is still under investigation.

Keeping in view above facts but without expressing any opinion on merits of the case, this petition is allowed and the petitioner is directed to surrender before the police and join investigation within a week. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

February 27, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No