

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

CRM-M-9859 of 2017 (O&M)

Date of decision: 08.05.2017

Nirmal Singh Nimma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sherry K. Singla, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in a cross case bearing DDR No. 23 dated 12.11.2016, under Sections 307, 324, 148 read with Section 149 of IPC and Sections 25 & 27 of Arms Act, 1959 in FIR No.218 dated 07.11.2016, registered under Sections 307, 336, 506, 148 read with Section 149 of IPC and Sections 25 & 27 of Arms Act, 1959, at Police Station Maur, District Bathinda.

On 23.03.2017, the following order was passed by this

Court:-

“Learned counsel contends that present FIR is the cross version in the FIR No.218 dated 07.11.2016 registered under Sections 307, 336, 506 and 148 read with Section 149 of the Indian Penal Code and Sections 25, 27, 54 and 59 of Arms Act against the accused persons namely, Gurjeetpal Singh,

Gurbachan Singh, Kartar Singh and Bagha Singh @ Charanjit Singh. The dispute pertains to the genesis of the FIR which lies in the management and control of the Truck Union, of which both the parties are members. The cross version was recorded 05 days after the FIR was registered. In the cross version it has been projected that fire arm injury has been attributed to the petitioner is on non-vital part.

Notice of motion for 08.05.2017.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court.”*

It is contended that in pursuance of order dated 23.03.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 23.03.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

08.05.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No