

Crl. Misc. No. M-20766 of 2018

Date of Decision: September 27, 2018

Satnam Singh @ Satta

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. L.M. Gulati, Advocate
for the petitioner

Mr. Kirat Singh Sidhu, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No. 26 dated 02.04.2018 under Sections 307, 148, 149 IPC and Sections 25, 27 of Arms Act, 1959 registered at Police Station Kathu Nangal, District Amritsar.

Learned counsel for the petitioner submits that as per the contents of the FIR, the petitioner is alleged to have been standing on the road when the co-accused fired the gun shots. No overt act is attributed to him and, thus, the petitioner deserves the concession of anticipatory bail.

Learned State counsel submits that although no overt act is attributed to the petitioner, as he was part of an unlawful assembly, his custodial interrogation is necessary.

Having considered the arguments of either side, I am of the opinion that the interest of justice demand that the petitioner be granted anticipatory bail. The only allegation against him is that he was standing in a crowd of 10 to 15 people when the main accused fired the gun shots. Thus, it is apparent that the petitioner is not accused of having used any weapon nor he is accused of having physically assaulted any one from the complainant party. Therefore, no useful

purpose would be served by sending him behind the bars.

The petition is allowed and it is directed that the petitioner shall join investigation with the Investigating Officer on 08.10.2018 at 10.00 a.m. and co-operate therewith. In the event of his arrest, he shall be released on anticipatory bail to the satisfaction of the Arresting Officer/Investigating Officer/SHO concerned subject to his compliance of the conditions, enshrined under Section 438(2) Cr.P.C.

September 27, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No