

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

CRM-M-36788-2018 (O&M)

Date of Decision:-28.9.2018

Pritpal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harbhajan Singh, Advocate for
Mr. Baltej Singh Sidhu, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

Mr. Jagjit Gill, Advocate for the complainant.

GURVINDER SINGH GILL, J. (Oral)

By way of filing this petition, petitioner Pritpal Singh seeks grant of anticipatory bail in a case registered against him vide FIR No.55 dated 5.6.2018 under Sections 336 and 506 of Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Kotbhai.

The FIR was registered at the instance of Gurpal Singh, wherein it has been alleged that his uncle's son namely Pritpal Singh has been residing in their neighbourhood, against whom the complainant's wife Manjeet Kaur had got one FIR registered for offence under Sections 354, 452 and 323 of Indian Penal Code, 1860 in which he has been convicted on 5.5.2018. It is alleged that on 17.5.2018, the said Pritpal Singh threatened the complainant on phone to kill him and after some time he went on the roof of his house and fired from his .12 bore double barrel gun and that the

complainant and other members of his family apprehending threat to their safety fled from there.

Notice of this petition was issued to the State.

Vide order dated 27.8.2018, the petitioner had been directed to join the investigation.

The learned State counsel has today informed that the petitioner has since joined investigation and that the gun in question has been recovered and taken into possession by the police.

Having heard the learned counsel for the petitioner and also the learned State counsel assisted by Mr. Jagjit Gill, Advocate for the complainant and bearing in mind the nature of allegations especially that none is stated to have been injured in the present case and that the gun allegedly used in the occurrence has already been recovered, I do not find that it is a case warranting custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 27.8.2018 are hereby made absolute subject to the condition that the petitioner shall appear before the Investigating Officer as and when directed.

This present petition stands accepted accordingly.

28.9.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No