

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

CRM-M-44601-2017 (O&M)

Date of decision: 10.01.2018

Baldev Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks concession of anticipatory bail in case FIR No.69, dated 17.05.2017, under Sections 452/323/324/380/427/336/148/149 IPC and Section 25 of the Arms Act (Sections 307/325/336/120-B/201 IPC added subsequently) registered at Police Station Sadar Tarn Taran, District Tarn Taran.

While issuing notice of motion, the following order was passed by this Court on 27.11.2017:

“The petitioner is seeking anticipatory bail in FIR No.69 dated 17.05.2017 under Sections 452/323/324/380/427/336/148/149 IPC and Section 25 of Arms Act (Sections 307/325/336/120-B/201 IPC added later on), registered at Police Station Sadar Tarn Taran, District Tarn Taran.

Learned counsel for the petitioner contends that petitioner is not named in the FIR wherein it is alleged that accused Manjinder Singh had fired a shot with .12 bore revolver, while accused Sajan had given datar blow on the stomach of husband of the complainant. He further contends

that it is alleged in the FIR that the afore-named accused were accompanied by 15/20 persons but the petitioner has neither been named in the FIR, nor any overt role has been ascribed to him.

Issue notice to the respondent, returnable on 10.01.2018.

In the meantime, petitioner is directed to appear before the Investigating Officer and join the investigation.

In the event of arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall join investigation as and when called upon to do so and shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Balbir Singh submits that the petitioner has since joined investigation and during the course of investigation, petitioner has been found to be innocent.

Under such circumstances, petition is allowed. Order dated 27.11.2017 passed by this Court is made absolute.

10.01.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |