

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

**CRM-M-46460-2017
Decided on: 08.02.2018**

Major Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

SUDHIR MITTAL, J (ORAL)

The petitioner seeks anticipatory bail in DDR No.6 dated 08.06.2016, under Sections 307/323/324/506/427/148/149 IPC and Sections 25 and 27 of Arms Act, 1959 in case FIR No.20 dated 08.06.2016 under Sections 307/452/323/324/506/427/148/149, 302 IPC and Sections 25 and 27 of Arms Act, 1959, registered at Police Station Sarai Amanat Khan, District Tarn Taran. (Annexure P-2).

It is the contention of the learned counsel for the petitioner that only raising of a lalkara is attributed to the petitioner, whereas the persons who are alleged to have used fire arms against the complainants have already been granted anticipatory bail. In this regard, he relies upon orders dated 15.09.2017, passed in CRM-M-26852-2017, titled as “Rasal Singh vs. State of Punjab” and CRM-M-28043 of 2017, titled as “Malkit Singh vs. State of Punjab” respectively (Annexure P-3).

Learned State counsel submits that the allegations against the petitioner and the offence alleged to have been committed by him are serious and therefore, his custodial interrogation is necessary.

Having heard counsel for the parties, I am of the opinion that the petition deserves to be allowed. The petitioner has only raised a lalkara and his co-accused, who allegedly fired with 12 bore gun, have already been granted the benefit of anticipatory bail, and as such, the petitioner also deserves the same concession.

Accordingly, petition is allowed. In the event of arrest of the petitioner-Major Singh, he shall be released on anticipatory bail to the satisfaction of A.O./I.O./S.H.O. concerned, subject to the condition that he shall join the investigation as and when required to do so by the Investigating Agency and subject to compliance of conditions enshrined under Section 438(2) Cr.P.C.

(SUDHIR MITTAL)
JUDGE

08.02.2018
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No