

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5591-2019 (O&M)

Date of decision: 07.05.2019

Gagandeep Joshi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Umesh Aggarwal, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.260 dated 13.12.2018 under Section 336 IPC and Section 25 of Arms Act, registered at Police Station Chhehrata, Amritsar.

While granting interim bail to the petitioner, following order was passed by this Court on 27.02.2019:-

“.....As per allegations in the FIR, registered against co-accused Sagar, who was arrested at the spot, complainant ASI Harjinder Singh was on patrol duty and heard a noise of fire and when the police party reached at the spot, they found that a Hindu young person was firing in air with a revolver, he was arrested and disclosed his name. Thereafter, the police recovered .32 bore

revolver from him. During the investigation, it was found that .32 bore revolver was belonging to the petitioner.

Learned counsel for the petitioner submits that the petitioner was not present at the spot and the revolver was taken by co-accused Sagar without consent of the petitioner.

Though it is case of apparent negligence on the part of the petitioner, however, I deem it appropriate to direct him to join the investigation.....”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation and has also deposited the costs of Rs.25,000/- with the Illaqa Magistrate.

Learned State counsel, on instructions from HC Daljeet Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 27.02.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

07.05.2019
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No