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

CRM-M-12506 of 2019

Date of decision: July 25, 2019

Harpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.457 dated 11.12.2014, under Sections 307, 323, 324, 148, 149 of Indian Penal Code, 1860 and Sections 25/27 of Arms Act, 1959, registered at Police Station City Tarn Taran, District Tarn Taran.

As per prosecution case, petitioner was the member of unlawful assembly armed with .32 bore pistol.

On 27.03.2019, this Court has passed the following order:-

“Contends that in view of the affidavit filed by the Deputy Superintendent of Police, Sub Division Tarn Taran, no injury has been attributed to the petitioner. Further contends that even the alleged weapon which was used in the commission of offence is the licensed one.

Learned State counsel wishes to verify the factum of licence issued in favour of the petitioner by the competent authority.

Adjourned to 02.05.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from Head Constable Satnam Singh, has submitted that petitioner has joined investigation in terms of order dated 27.03.2019 and his custodial interrogation is not required.

In view of the above, order dated 27.03.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

July 25, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No