

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14366-2019

Date of decision: 02.05.2019

Gurpreet Singh @ Goldy

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Jossan, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.0030 dated 31.07.2018 under Sections 307, 148, 149 IPC and Sections 25, 27, 54, 59 of the Arms Act, registered at Police Station Arif Ke, District Ferozepur.

While granting interim bail to the petitioner, following order was passed by this Court on 29.03.2019 :-

“Counsel for the petitioner has submitted that as per the allegations in the FIR, which was recorded on the statement of one Iqbal Singh, 3-4 days prior to registration of the FIR, the demarcation of the land has taken place and in the said demarcation 1½ marlas of land was found to be encroached upon by the petitioner's party. It is further submitted that when the

complainant along with others had gone to raise a boundary wall, an altercation took place between the two sides, in which the accused persons fired, which hit on the main gate of the house.

Counsel for the petitioner has further submitted that there was no order from any competent Court vide which the complainant could take the possession and, in fact, he wanted to take the possession only on the basis of the demarcation report. It is also submitted that even otherwise, a cross-version is also registered against the complainant side.”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Gurbachan 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 29.03.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

02.05.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No