

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

227

**CRM-M-27191-2019
DATE OF DECISION: 25.07.2019**

BALJEET SINGH @ BALJIT SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sant Pal Singh Sidhu, Advocate
for the petitioner.

Ms. Sudeepti Sharma, Addl. AG, Punjab.

Mr. Sehajbir Singh, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.40 dated 20.05.2019, under Sections 307, 341 IPC and Sections 25 and 27 of the Arms Act, registered at Police Station Lakho Ke Behram, District Ferozepur.

Learned counsel for the petitioner contends that the FIR is politically motivated inasmuch as the petitioner had received a gun shot injury at the hands of the son of the local MLA and the police had failed to register an FIR. He had to file a criminal complaint which is pending adjudication. A copy of the complaint is at Annexure P-2. The MLR of the petitioner also reflects the gun shot injury.

Learned counsel further contended that the complainant in the instant FIR is a close associate of the local MLA and it is alleged in the FIR that the co-accused Nishan Singh had put revolver on the forehead of the complainant but the shot had misfired. He also contends that the version is highly improbable inasmuch as there is no other injury or any scuffle between the parties which would be inevitable keeping in view the nature of the allegations that it was a sudden fight on account of altercation during elections between two groups. He further contends that the incident is alleged to have taken place on 19.05.2019 at 11.00 am and the FIR was lodged on the next day.

In terms of the previous order, Mr. Vivek Soni, Senior Superintendent of Police, Ferozeur is present in Court. He states that he has just taken over the charge few days back. He ensures this Court that he will take steps to conduct free and fair investigation in the matter.

This Court, by the order dated 08.07.2019, had directed the petitioner to appear before the Investigating Officer/Arresting Officer and on his doing so, he was to be released on *ad interim* bail on his furnishing requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, upon instructions from SI Gurtej Singh, states that the petitioner has joined investigation in terms of the previous order of this Court and is not required for custodial interrogation.

Learned counsel for the complainant, however, contends that as the allegations against the petitioner are serious, he does not deserve the concession of anticipatory bail.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined the investigation and is not required for custodial interrogation, the order dated 08.07.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

25.07.2019

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No