

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34768-2019 (O&M)
Date of decision: 26.09.2019

Kulbir Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. O.P. Kamboj, 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.66 dated 28.06.2019 under Sections 307, 506, 34 IPC and Sections 25/27 of Arms Act, registered at Police Station Jhander, District Amritsar Rural.

While granting interim bail to the petitioner, following order was passed by this Court on 27.08.2019: -

“...Learned counsel for the petitioner submits that as per allegations in the FIR, the complainant had gone to visit the land, which he has taken on lease, where he met petitioner Kulbir Singh and Bikramjit Singh, who were armed with rifles and they started abusing him. Co-accused Bikramjit Singh, with intention to kill, fired a shot with 12 bore rifle, which hit on the wrist of his right

arm and left bicep and the petitioner also fired a shot with his 315 bore rifle but did not hit any person. It is further submitted that the petitioner is co-sharer in 47 kanals 04 marlas of land and he has filed an application for correcting the girdawari, which was allowed by the Assistant Collector 2nd Grade on 27.02.2019. Thereafter, the petitioner also filed a civil suit, in which the Civil Court has stayed dispossession of the petitioner vide order dated 23.05.2019 and it is a matter to be decided during the trial as to who is in possession of the land, as the complainant, on the basis of alleged lease deed, is trying to take forcible possession. ...”

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 ASI Kuldeep 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 27.08.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

26.09.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No