

In the High Court of Punjab and Haryana at Chandigarh

237

CRM-M-45175-2019 (O & M)

Date of Decision: December 11, 2019

SUKHWINDER SINGH @ GHUDDU

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gagandeep Singh Bajwa, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 189 dated 23.07.2019, under Section 307 of the Indian Penal Code, 1860, besides, Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Jandiala, District Amritsar.

Learned counsel for the petitioner contends that it is a case of no injury and the allegations in the FIR are that co-accused Kishan Singh had fired a shot at the complainant, but it did not hit any one. The petitioner is alleged to have been standing there.

This Court, by the order dated 23.10.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from Head Constable Tejinder Singh, states that the petitioner has joined investigation but the pistol is yet to be recovered. He, however, does not dispute that as per allegations in the FIR, the pistol was fired by the co-accused Kishan Singh but it did not hit anyone.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 23.10.2019 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.

(ANUPINDER SINGH GREWAL)
JUDGE

December 11, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No