

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208-2

CRM-M-64664 of 2018

Date of Decision: 02.12.2019

Rajpal Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Ranjan Lakhanpal, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr.A.S.Brar, Advocate for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0045 dated 16.07.2018 under Sections 307, 341,336,148 and 149 IPC and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Fatehgarh Panjtoor, District Moga. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 27.12.2018 whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Contentends that as per allegations in the FIR no injury has been attributed to the petitioner.

Notice of motion for 11.02.2019.

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 counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Mukhinder Singh does not dispute this fact that the petitioner has joined the investigation. He further submits that the alleged gun shot was fired by accused Amandeep Singh who is yet to be arrested. He, on instructions from SI Mukhinder Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.12.2018 is made absolute.

The petition stands allowed.

02.12.2019
Anjal

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No