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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.7571 of 2020

Date of Decision: 05.03.2020

INDERJIT SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. M.S. Sidhu, Advocate
for the petitioner.

Mr. J.S. Ghumman, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.96 dated 08.10.2018, registered under Sections 307, 326, 323, 447, 148, 149, 120-B IPC and Sections 25, 27, 54 of the Arms Act at Police Station Mallanwala District Ferozepur.

Learned counsel for the petitioner submitted that it is a case of version and cross-version. FIR is silent with regard to the specific role of the petitioner. However, name of the petitioner figured in the statement of Akbar recorded under Section 161 Cr.P.C, wherein he alleged that fire arm injury on his person was attributed to the petitioner. Cross-version vide DD No.20 was recorded on 14.10.2018 against the

complainant-party for the offences under Sections 307, 324, 323, 427, 506, 148, 149 IPC and Sections 25 and 27 of the Arms Act. The accused in the cross-version have been granted anticipatory bail except the accused namely Joga Singh and Darshan Singh, who have been granted regular bail.

Learned counsel further submitted that the petitioner was not arrested in the present FIR, nor he was declared as a proclaimed offender at any point of time. Challan has been presented against the remaining accused persons. The complainant Akbar while appearing as PW-3 has resiled from his statement and has not supported the case of the prosecution.

The aforesaid factual position has not been denied by the learned State counsel on instructions from ASI Darshan Singh.

It is a case of version and cross-version. The complainant Akbar has already resiled. Petitioner was not attributed any specific role in the FIR. The case appears to be debatable.

Looking to the aforesaid facts and circumstances, I am of the view that the petitioner has made out a case for the grant of anticipatory bail. The petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join

investigation on 12.03.2020 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

March 05, 2020

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No