

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

202

**CRM-M-11086-2020
Decided on : 27.08.2020**

Gurmukh Singh	Versus	... Petitioner
State of Punjab		... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Swarn Tiwana, Advocate, for the petitioner.

Mr.Hitten Nehra, Addl.A.G., Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawal, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C., by the petitioner for grant of anticipatory bail in FIR No.352 dated 21.12.2019 lodged under Sections 307, 336 IPC and Sections 25, 27 of Arms Act, 1959 (Section 120-B IPC added later on) at Police Station Model Town, District Hoshiarpur.

On 01.07.2020, the following order had been passed:

“Counsel for the petitioner *inter alia* contends that the case against the petitioner as such is regarding the arranging of a pistol alongwith bullets at the asking of one Saurav Jindal, which fact came up in FIR No. 185 during the interrogation of one co-accused Paras Sharma. It is submitted that in the FIR, the statement is of one Malkiat Singh that some unknown person had fired at the gate which had hit the ankle of the complainant who is the private security guard. It is submitted that as per the status report, the petitioner has following FIRs registered against him:-

“i. That FIR No.29, dated 23-02-2014, U/s 382, 34 IPC, P.S. Samrala, District Ludhiana, ii. That FIR No.34, dated 06-03-2014, U/s 302, 482, 120-B, 148, 149 IPC, 25/54/59 Arms Act, P.S. Model Town, District Hoshiarpur, iii. That FIR No.80, dated 02-03-2015, U/s 399, 402 IPC, P.S. Civil Line, District Amritsar,

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202

CRM-M-11086-2020

-2-

iv. That FIR No.102, dated 21-04-2015, U/s 25/54/59 Arms Act, P.S. Dasuya, District Hoshiarpur,

v. That FIR No.169, dated 12-08-2017, U/s 42,52-A.

Prison Act, P.S. Gate Hakima, District Amritsar, ”

Mr. Tiwana further submits that the regarding cases at Sr. Nos. (i), (iii) and (iv), he has been acquitted. Photocopies of the said orders have been placed on the file. Regarding cases at Sr. Nos. (ii) and (v), he is stated to be on bail granted by the Co-ordinate Bench of this Court in CrI. Misc.M-51622 of 2018 and by the Judicial Magistrate Ist Class respectively.

Adjourned to 27.08.2020.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail subject to the satisfaction of the investigation officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C.

State Counsel, on instructions from SI-Dilbag Singh submits that the petitioner has joined investigation in pursuance of the said order. It is further submitted that the weapon which was used in the incident has already been recovered from the other co-accused and therefore, petitioner is not required for further investigation.

Accordingly, in view of the above, the interim bail granted on 01.07.2020 is made absolute.

Petition stands disposed of.

AUGUST 27, 2020
sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No