

201

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 11646 of 2020 (O&M)
Decided on: 21.09.2020

Harwinder Singh @ Soni

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. R.S. Bains, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Jasdev Brar, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 45 dated 24.01.2020 registered under Sections 302, 34, 120-B IPC and Section 25 of the Arms Act, 1959 at Police Station Division No. 5, Ludhiana.

The operative part of the order dated 24.06.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and he has been involved in the present FIR on the basis of supplementary statement suffered by the complainant. He further submits that the State machinery has a grudge against the petitioner as he had moved a petition for Habeas Corpus for the release of his mother who was illegally detained by the investigating agency. Learned counsel also submits that the only allegation against the

CASE HEARD THROUGH VIDEO CONFERENCING

petitioner, who is a practicing lawyer, is that he was the instigator.

Learned State counsel submits that the supplementary statement was got recorded by the complainant on the same very day. However, he has not disputed the fact that there is no specific allegation against the petitioner in the supplementary statement.

Learned counsel for the petitioner further submits that coaccused Sukhwinder Singh @ Moni, Sumit, Jatin Kumar and Money have been arrested and challan has already been presented qua them.

Keeping in view the above, interim bail is granted to the petitioner. He is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

Adjourned to 24.8.2020....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 24.06.2020, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Gurcharan Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 24.06.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

21.09.2020

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No