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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.15151 of 2020

Date of Decision: 30.07.2020

GURBINDER SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Rana Harjasdeep, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in cross case bearing DDR No.33 dated 17.01.2020 registered under Sections 336, 325, 324, 323, 295-A, 506, 120-B, 148, 149 IPC and under Section 25, 27 of the Arms Act at Police Station Jhabal District Tarn Tarn in case FIR No.123 dated 13.07.2012 registered under Sections 307, 323, 324, 34 IPC at Police Station Jhabal District Tarn Tarn.

On 15.06.2020, following order was passed by this Court:-

“This matter is being taken up for hearing through

video conference/WhatsApp due to the pandemic COVID-19.

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in cross case bearing DDR No. 33 dated 17.1.2020 under Section 336, 325, 324, 323, 295-A, 506, 120-B 148, 149 IPC 1860 and under Section 25, 27 of the Arms Act 1959 registered at Police Station Jhabhal, District Tarn Taran and in case FIR No. 123, dated 13.07.2012 under Section 307, 323, 324, 34 IPC 1860 registered at Police Station Jhabhal, District Tarn Taran.

Learned counsel for the petitioner contends that complainant Gurdeep Singh implicated him in a cross case by stating that the petitioner is armed with kirpan and gave him a blow of kirpan on his left elbow. He further submits that complainant himself is a proclaimed offender since 31.8.2013 and now after a gap of 8 years he registered a cross case against the petitioner. He further submits that there is a dispute between the complainant and his brother regarding ancestral land and the petitioner has been falsely roped in the case.

Issue notice of motion.

Since advance copy of the petition stands already served, Mr. Sandeep Vermani, Addl. AG, Punjab, accepts notice on behalf of the respondent-State and opposed the application.

List on 30.7.2020.

Without going into that issue which is a matter of investigation, this Court upon hearing learned counsel for the petitioner is of the view that in this case anticipatory bail would be just and proper and will serve ends of justice as

an entire arrangement pending investigation etc. Needless to add that the petitioner would join the investigation as and when required and would abide by the conditions laid down in Section 438 (2) of the Cr.P.C. to the satisfaction of the concerned investigating officer.”

Learned counsel for the petitioner submitted that in compliance of the aforesaid order, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Om Parkash admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of observations made in the order dated 15.06.2020, it would be just and appropriate to confirm the interim bail. Consequently, the interim order dated 15.06.2020 is made absolute. Petitioner shall keep on joining the investigation as and when directed to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

July 30, 2020
Atik

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No