

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

CRM-M-15479 of 2020 (O&M)

Date of Decision:28.07.2020

Nirmal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. A.S.Manaise, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG., Punjab.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner seeks the concession of anticipatory bail in FIR No.25 dated 25.05.2020, under Sections 307 IPC and Sections 25, 27 of Arms Act, registered at Police Station Dhilwan, District Kapurthala.

Contentions on behalf of learned counsel for the petitioner as noted while issuing notice of motion on 17.06.2020, are reproduced as hereunder:-

“Learned counsel for the petitioner contends that the petitioner is sought to be implicated in the present FIR due to political vendetta and the fact that the petitioner had been instrumental in the removal of a liquor vend in the market. Admittedly, no injury was caused by the petitioner, who is alleged to have fired from his licensed gun. Learned counsel for the petitioner further submits that there is no mark on any vehicle, neither pellets etc. have been recovered from the spot to indicate firing of the petitioner's licensed gun. It is submitted that the uncle of the complainant Bikker Singh is the former Sarpanch and Bikker

Singh's wife is the sitting Sarpanch.”

The petitioner, it is submitted has joined investigation and he undertakes to fully cooperate with the investigating agency and not abuse the concession of anticipatory bail, if afforded to him. The petitioner, it is submitted, is not involved in any other criminal case. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Sukhwinder Singh, verifies that the petitioner is not involved in any other criminal case. It is stated that he has joined investigation and his custodial interrogation is not required.

There are no allegations on behalf of the State that the petitioner is likely to abscond or he is likely to dissuade the witnesses from deposing true facts in the Court, if granted the concession of anticipatory bail.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 17.06.2020, is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

28.07.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.