

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

Criminal Misc.No.17545 of 2020

Date of Decision: September 18, 2020

Gursewak Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. D.K.Sharma, Advocate for
Mr. Ranjodh Singh Sidhu, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.15 dated 26.03.2019, under Sections 302, 34 (120-B, 506, 148 and 149 IPC added later on) and Sections 25 and 27 Arms Act, registered at Police Station, Verowal, District Tarn Taran. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 06.07.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Heard through video conferencing.

Learned counsel for the petitioner contends that the petitioner is neither named in the FIR nor in the first supplementary statement of the complainant wherein five persons were duly named. He was named in the second supplementary statement of the complainant. He also contends that the similarly situated co-accused Major Singh has been

granted ad interim anticipatory bail by this Court by order dated 03.06.2020 (Annexure P10) passed in CRM-M No.13915 of 2020, which is listed on 16.07.2020.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 16.07.2020.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Avtar Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 06.07.2020 is made absolute.

Petition stands disposed off.

September 18, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No