

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

**CRM-M-18917-2020(O&M)**

**Date of decision : 11.09.2020**

**Vijay Kumar alias Damra**

**..... Petitioner**

**versus**

**State of Punjab**

**..... Respondent**

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA**

**\*\*\***

Present: Mr.P.L.Singla, Advocate for the petitioner.

Mr.A.S.Sandhu, Addl.AG, Punjab.

**\*\*\***

**TEJINDER SINGH DHINDSA, J. (ORAL)**

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in FIR No. 058 dated 14.06.2020, registered under Sections 323, 324, 148, 149 IPC and Sections 25, 54, 59 of Arms Act at Police Station, Ferozepur Cantt.

On 22.07.2020 while issuing notice of motion the following order was passed by this Court:-

*“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.*

*Petitioner seeks concession of pre-arrest bail in FIR*

*No.058 dated 14.6.2020 registered under Sections 323, 324, 148, 149 I.P.C and Sections 25, 54, 59 of Arms Act at Police Station, Ferozepur Cantt.*

*Counsel submits that as per prosecution version petitioner was part of an unlawful assembly and who had waylaid the complainant party and caused injuries to them and also snatched Rs.20,000/- from the complainant.*

*Counsel has placed reliance upon order dated 19.6.2020 passed by the learned Sessions Judge, Ferozepur (Annexure P-2) whereby co accused Gautam and who had been attributed simple injury has been granted concession of anticipatory bail. It is contended that the case of the present petitioner while seeking pre-arrest bail would be on a better pedestal inasmuch as he had only raised a Lalkara. Further urged that even though, offence under sections 25, 54, 59 of Arms Act have been cited as the petitioner was alleged to be armed with a pistol but no firing even as per prosecution version had taken place.*

*Notice of motion, returnable for 11.9.2020.*

*In the meanwhile, petitioner is directed to join investigation.*

*In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”*

Learned State Counsel, upon instructions from ASI Pawan Kumar, informs the Court that the petitioner has since joined investigation and is not required for custodial interrogation.

In view of the above, petition is allowed. Order dated 22.07.2020 passed by this Court is made absolute.

(TEJINDER SINGH DHINDSA)  
JUDGE

11.09.2020  
sunita

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |