

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

202

CRM-M-23049-2020
Date of Decision: 23.11.2020

GURDEEP SINGH**....Petitioner****VS****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

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

Mr. Saurav Khurana 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.59 dated 10.07.2020, under Sections 307, 186, 353, 427 IPC and 25/27 Arms Act, 1959, registered at Police Station, Mehna, District Moga. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 18.08.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the vehicle of the petitioner had touched the police vehicle and as per the allegations in the FIR, the persons travelling in the car pointed pistol at the police officials. According to him, this act alone even if taken to be true, would not constitute an offence punishable under Section 307 IPC. He submits that the police vehicle was coming on the wrong side and later on the compromise had also taken place, therefore, in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 23.11.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified 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 Kulwant 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 18.08.2020 is made absolute.

23.11.2020
monika*

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No