

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

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**CRM-M-54230-2019
Date of decision: 17.02.2020**

Gurbinder Singh	Versus	Petitioner
State of Punjab		Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Amrinder Singh Sekhon, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, D.A.G. Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C") for grant of anticipatory bail in case FIR No.210 dated 19.11.2019 registered under Sections 353, 186 and 506 read with Section 34 of the Indian Penal Code, 1860 and Sections 27 of the Arms Act, 1959 at Police Station Sadar, Faridkot.

Vide order dated 20.12.2019 passed by this Court the petitioner was granted interim anticipatory bail with direction to join the investigation.

Learned State Counsel has appeared on behalf of the respondent-State and opposed the bail application.

I have heard learned counsel for the petitioner and learned State Counsel and have gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. The petitioner has joined the investigation. Nothing is to be recovered from him and his custodial interrogation is not required.

On the other hand, learned State Counsel has submitted that in view of gravity of offences, the petitioner does not deserve grant of anticipatory bail. Therefore, the petition may be dismissed.

However, learned State counsel, on instructions from ASI Gurjit Singh, has acknowledged that in compliance with order dated 20.12.2019 passed by this Court, the petitioner has joined the investigation and admitted that his custodial interrogation is not required for effecting any recovery.

In view of the facts and circumstances of the case, nature of accusation and evidence against the petitioner, the fact that investigation and trial are likely to take long time and also the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail.

Therefore, the petition is allowed and order dated 20.12.2019 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation again as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to him

17.02.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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