

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-54706-2019 (O&M)

Date of Decision:-20.2.2020

Harbans Singh Sahota

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Benti Kaur, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by HC Malkeet Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.241 dated 14.11.2019 at Police Station Dharmkot, District Moga under Sections 307, 392, 427, 323, 148 and 149 of Indian Penal Code and Sections 25 and 27 of Arms Act.
2. The FIR was lodged at the instance Sukhwant Singh, wherein it has been alleged that on 14.11.2019 when he was sitting in his office, then 8-10 persons armed with pistol, rod, kapas and other weapons came there and attacked the complainant as well as other employees of the company and also destroyed JCB machines, window panes etc. and while leaving the accused took away an amount of ₹1.25 lakhs lying in a drawer.
3. Pursuant to issuance of notice of motion, the petitioner is stated to have joined investigation.

4. The learned State counsel, upon instructions from HC Malkeet Singh, who is present in Court, has submitted that an inquiry has been conducted by Deputy Superintendent of Police and the petitioner has been found to be 'innocent'.
5. In view of the aforestated position wherein the petitioner is stated to have been found innocent and in any case, since the petitioner has already joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 20.12.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

20.2.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No