

263

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.55717 of 2019
Date of Decision: 31.01.2020

SARABJIT SINGHPetitioner
Vs
STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. A.D.S. Sukhija, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr.D.A.G., Punjab.

Mr. G.S. Sandhu, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail in case bearing FIR No.155 dated 11.11.2019 registered under Sections 341/506/148/149 IPC and Section 27 of the Arms Act at Police Station Dayalpura, District Bathina.

While issuing notice of motion, following order was passed by this Court on 01.01.2020:-

“Learned counsel for the petitioner contends that in CRM-M No.50064 of 2019 filed by the co-accused namely Golu Singh Brar, Amrik Singh and Paramjit Singh, notice of motion was issued on the premise that the petitioners therein were not holding any revolver in their hands at the time of occurrence. Petitioner relied upon C.D of the occurrence prepared by the petitioner side. The use of the revolver viz-a-viz the complicity of

the petitioner in terms of Section 27 of the Arms Act would be debatable as the allegations are in respect of all the co-accused who allegedly used the revolvers in order to threaten the driver of the vehicle on the gun point. As per status report of the police, revolver is a licensed revolver in the name of the petitioner and the complainant party was operating truck without any valid permit.

Notice of motion for 31.01.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 15.01.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, on his furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Malkeet Singh submitted that in compliance of the aforesaid order, the petitioner has joined the investigation. Petitioner is no more required in any further investigation of the case. Weapon has already been recovered. Use of revolver viz-a-viz. the complicity in question would remain debatable.

In view of above, interim order dated 01.01.2020 is made absolute. Petitioner shall keep on joining the investigation as and when directed to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

January 31, 2020

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No