

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

**CRM-M-495-2021
Date of decision: 06.04.2021**

Gurbhej Singh @ Gulab Singh @ Gulabo and another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Randeep Singh, Advocate for
Mr. Vipin Mahajan, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 170 dated 08.11.2020, registered under Sections 307 (now stands deleted), 452, 380, 427, 148, 149 of the IPC and Sections 25, 27 of the Arms Act, 1959 at Police Station Rangar Nangal, Police District Batala, District Gurdaspur.

The operative part of the order dated 07.01.2021, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners submits that as per allegations in the FIR, the complainant deals in selling and purchasing cattle and the petitioners, along with 40/50 other persons, came there on two tractor trollies. Some of them were armed with fire arm weapons and they entered into the house of the complainant and started taking away his buffaloes. When they were stopped, a scuffle took place and co-accused Hira Singh shot a fire, however, nobody was injured.

Learned counsel further submits that it is further alleged in the FIR that 20 buffaloes and an amount of Rs. 2 Lakh were taken away by the accused persons.

Learned counsel further submits that it is a case of no injury and no specific role has been attributed to the petitioners. It is further submitted that Additional Sessions Judge, vide order dated 15.12.2020, has granted interim bail to petitioners with a direction to join investigation, however, later on, the same was dismissed only on the premise that petitioners have failed to cooperate in investigation.

Learned counsel for the petitioners further submits that on an earlier occasion, the complainant was caught to be selling adulterated milk, however, there was a compromise (Annexure P-2) between the parties, according to which, the complainant had owned to pay a sum of Rs. 6 Lakh to dairy owners in case he sells adulterated milk in future and the petitioners have been falsely implicated in the present FIR because they were witness to the said compromise.

Learned counsel further submits that petitioners are still ready to join investigation and cooperate with the police.

Notice of motion for 06.04.2021.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 07.01.2021, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Amarjit Singh, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 07.01.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

06.04.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No