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

**CRM-M No.2790 of 2021  
Date of Decision:23.03.2021**

**SUKHMANDER SINGH @ GOGRI** .....Petitioner

**Vs**

**STATE OF PUNJAB** .....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Sukhdeep Singh Bhinder, Advocate  
for the petitioner.

Mr. Amar Ashok Pathak, AAG, Punjab.

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**RAJ MOHAN SINGH, J.(Oral)**

The case has been taken up for hearing through  
video-conferencing.

Prayer is for grant of anticipatory bail in case  
bearing FIR No.170 dated 26.12.2018 under Sections  
307/506/34 IPC and Sections 25/27/54/59 of the Arms Act  
registered at Police Station Nehianwala District Bathinda.

Notice of motion was issued on 21.01.2021 and  
arrest of the petitioner was also stayed.

Learned counsel for the petitioner submits that  
though the FIR was registered on 26.12.2018 but the petitioner

has not been declared as proclaimed offender till date because his application for inquiry was pending before the higher authorities. The Police has already submitted report under Section 173 Cr.PC against the co-accused Tarsem Singh who has already been granted regular bail by the High Court in CRM-M No.40105 of 2019 vide order dated 24.09.2019. Challan qua the petitioner is still to be filed after investigation. As per FIR only *Lalkara* has been attributed to the petitioner. No firearm injury has been attributed to him. Therefore, no recovery has to be effected from the petitioner.

In view of aforesaid, the present petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 31.03.2021 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing adequate bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such

facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country,  
without prior permission of the Court and shall  
surrender his/her passport, if any.

March 23, 2021  
*amandeep*

(RAJ MOHAN SINGH)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |