

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

204

CRM-M-2702-2020

Date of Decision:06.08.2021

KULWINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. J. S. Khiva, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.04 dated 07.01.2020, registered under Sections 336, 338 of IPC, 1860, and Section 27 of the Arms Act, 1959, at Police Station Boha, District Mansa.

Counsel for the petitioner has submitted that FIR, Annexure P-1, has been registered on the basis of secret information on the allegation that the petitioner fired in the air from his licensed pistol during the ring ceremony of Gagandeep Singh causing injury to himself as well as Jaswinder Singh. Counsel contends that a false FIR has been got registered by a neighbour due to a personal grudge.

On 22.01.2020, this Court passed the following order:-

“Learned counsel for the petitioner contended that the allegations in the FIR are false and no such incident has taken place.

Notice of motion for 25.03.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Modan Singh, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 22.01.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

06.08.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No