

207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8893-2021
Date of decision-18.08.2021

GURMEET SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Satwant Mehta, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

Mr. Anil Chawla, Advocate
for the complainant.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.244 dated 22.06.2020 under Section 326, 323, 324, 506, 148 & 149 Indian Penal Code, 1860 registered at Police Station Goindwal Sahib, District Tarn Taran. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has argued that the cross cases were registered for the alleged offence and the injury punishable under Section 326 IPC is not attributed to the accused Gurmeet Singh (petitioner).

She has invited the attention of the Court to the order dated 25.02.2021:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia contending that the petitioner has been falsely implicated in the present case and no specific role has been attributed to the petitioner regarding causing any injury to the complainant and the co-accused has already been allowed interim bail and he is ready and willing to join the investigation. It is also contended that it is a case of version and cross-version and a DDR has been got registered by the petitioner against the complainant.

Notice of motion.

Mr. P. S. Walia, AAG., Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State and seeks time to file reply.

Mr. Anil Chawla, Advocate has put in appearance on behalf of the complainant.

Adjourned to 18.08.2021.

Meanwhile, petitioner is directed to join the investigation within a period of one week and on doing so, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned State counsel who is assisted by ASI Manjit Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Learned counsel for the complainant has opposed the prayer and contended that the petitioner was involved in another crime bearing FIR No. 336 dated 21.11.2021.

At this stage, learned counsel for the petitioner has pointed out that the offences in the FIR No. 336 dated 21.11.2021 are bailable as the other offence punishable under Arms Act stands deleted. He has further pointed out that the similarly situated co-accused namely Gurmej Singh has

already granted the concession of anticipatory bail.

Resultantly, order dated 25.02.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

18.08.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No