

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

**CRM-M-14105-2021
Date of decision: 25.08.2021**

Komalpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Shallu, Advocate for the petitioner.

Mr. H. S. Multani, AAG, Punjab.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0013 dated 26.11.2020 registered under Sections 25 of the Arms Act and 120 of the IPC at Police Station State Special Operation Cell, District Amritsar, Intelligence Wing (CID).

The operative part of the order dated 26.03.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.13 dated 26.11.2020 registered under Sections 25 of Arms Act and 120 IPC at Police Station State Special Operation Cell, District Amritsar, Intelligence Wing (CID).

Counsel for the petitioner has argued that as per the allegations in the FIR, the police on receiving a secret information that the petitioner – Komalpreet Singh and one Manpreet Singh have formed a gang and are going to commit some illegal activity and the petitioner Komalpreet Singh is coming near a school in Amritsar to give arms to some unknown persons. Thereafter, the police arrested the coaccused Manpreet Singh and recovered 03 pistols, 03 empty magazines and 09 live cartridges. It is also submitted that the petitioner has no previous history of involvement in any other case and he is working in a school and he was not found present at the spot, when the

recovery was effected from the co-accused.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, accepts notice on behalf of the respondent and acknowledge that there is another case pending against the petitioner.

Counsel for the petitioner is directed to supply a complete copy of paperbook to counsel for the State, during the course of day.

List again on 25.08.2021.

In the meantime, the petitioner is directed to join investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:-

1. He shall make himself available for interrogation by a police officer as and when required;

2. He 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 from disclosing such facts to the Court or to any police officer; and

3. He shall not leave India without previous permission of the Court”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 26.03.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Harbheg Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 26.03.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

25.08.2021
Chetan Thakur

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No