

CRM-M-14611-2021

Date of Decision : 02.09.2021

Dharam Singh

...Petitioner

versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Shakti Mehta, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.54 dated 04.03.2021, registered under Section 307 IPC and Section 25/27 of the Arms Act at Police Station Jandiala, Distt. Amritsar Rural.

3. On 01.04.2021, the following order was passed:-

“Prayer in the instant petition u/s 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 0054 dated 04.03.2021 registered u/s 307 IPC 1860 and 25/27 Arms Act, 1959 at Police Station Jandiala, District Amritsar, Rural.

Learned counsel contends that the petitioner has been implicated in a false case as a counter blast to the registration of a criminal case by his daughter in law against the complainant i.e. FIR No.90 dated 19.04.2020, under Section 294, 509 and 34 IPC, at Police Station Jandiala, and that perusal of the FIR in the instant case would reveal that it is a case of no injury.

Notice of motion for 04.05.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail subject to his furnishing bail bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *SI Nishan Singh* confirms that pursuant to the order of this Court dated 01.04.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 01.04.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

02.09.2021
rajesh

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>