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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15758-2021

Date of Decision:13.07.2021

HARMANDER SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. K.S Sidhu, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.297 dated 31.12.2018 registered under Sections 307, 341, 353, 186, 382, 511, 427, 148, 149 and 120B IPC at Police Station Lambi, District Sri Muktsar Sahib.

Notice of motion was issued on 09.04.2021 by passing the following order:-

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

Learned counsel for the petitioner contends that though the petitioner has been named in the FIR along with 23

more persons, but no overt act has been attributed to him. Allegations are that Jiwan Singh tried to snatch assault rifle from the gunman of the complainant (police officer). When Deputy Superintendent of Police tried to persuade all the members of the unlawful assembly who were leading in the form of crowd, but they hatched criminal conspiracy at the instigation of Satnam Singh, Darshan Singh and Sukhpreet Kaur. The police has already arrested 10 persons in the aforesaid case. The occurrence took place owing to the dispute over Panchayat election. Petitioner being a supporter of aforesaid Satnam Singh and Sukhpreet Kaur has been wrongly named in the FIR.

Notice of motion for 13.07.2021.

*In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on **16.04.2021** at 11.00 A.M. and in the event of his arrest, he shall be enlarged on ad interim bail, on his furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.*

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.

Learned counsel for the petitioner submits that the petitioner has been named in the FIR with many more persons i.e. 23 members, but no overt-act has been attributed to the petitioner in any manner. The occurrence took place in relation to a dispute over Panchayat election, where a Deputy Superintendent of Police had tried to persuade all the members of unlawful assembly over leading the form of a crowd.

Learned counsel for the petitioner submitted that in compliance of the order dated 09.04.2021, the petitioner has joined the investigation to the entire satisfaction of the

Investigating Officer.

Learned State counsel on instructions from ASI Krishan Lal admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 09.04.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

13.07.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No