

204(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16095-2021

Date of decision-22.09.2021

NISHAN SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S. Sekhon, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

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.27 dated 12.03.2021, under Sections 307, 336, 452, 148, 149 Indian Penal Code, 1860 & Sections 25 and 27 Arms Act, 1959, registered at Police Station Ghall Khurd District Ferozepur. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 27.04.2021, whereby, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner has contended that the petitioner is an innocent person and has been involved simply because of the fact that he is the father of Jagroop Singh @ Gurjit Singh, co-accused and the allegation in the FIR even he had not caused any injury to complainant or any other person. The allegation levelled against him is of breaking glass panes of the window of the

complainant's house and other household articles. Learned counsel for the petitioner submits that the petitioner is ready and willing to join the investigation. Though learned counsel for the complainant has opposed the request of the petitioner but I find that petitioner should be given a liberty to join investigation.

Under the circumstances, the petitioner is directed to join investigation by contacting the Investigating Officer within 7 days from today and render all sort of cooperation. The petitioner has to surrender his passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. The next date of hearing is fixed as 09.07.2021. If, in the meanwhile, he is arrested, he be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Kulwant 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.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 27.04.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

22.09.2021

Vipin kumar

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No