

(Through Video Conferencing)

CRM-M-22289-2021

Date of decision: 04.06.2021

Gurpreet Singh @ Gopi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Karandeep Singh Dargan, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.78 dated 22.04.2021 under Sections 323, 458, 427, 506, 148 & 149 IPC, registered at Police Station Nakodar Sadar District Jalandhar, Punjab.

Learned counsel for the petitioner submits that the FIR was registered on the statement of one Shingara Singh that he received a message from his brother Balkar Singh that Gurdeep Singh @ Deepa along with 4-5 persons carrying weapons has entered his house and are threatening him. Out of fear, the family members confined themselves in the room and when the neighbors came at the spot, the assailants ran away from the spot in a Verna Car.

It is further stated in the FIR that the assailants have entered in his house at night time with the intention to cause injuries to his nephew and in that process, caused damage to flower pots, window panes and wall of the house.

Learned counsel for the petitioner further submits that co-accused Gurdeep Singh @ Deepa, Gurjot Singh and Pawan were arrested and on their disclosure statements, the petitioner along with others were involved in the present case.

Learned counsel for the petitioner further submits that it will be the matter of trial whether the disclosure statement made by the co-accused will be admissible against the petitioner as the petitioner has been falsely implicated and to show his bona fide, the petitioner is ready to deposit a sum of Rs.25,000/- with the Illaqa Magistrate, to be paid to the victim Shingara Singh or his brother Balkar Singh towards the damage caused to their property, without prejudice to the right of defence.

Learned State counsel has not disputed the factual position that the petitioner was nominated on the disclosure statement of co-accused, namely, Gurdeep Singh @ Deepa.

After hearing learned counsel for the parties, this petition is allowed. In the event of arrest, the petitioner will be released on bail subject to his furnishing bail bonds and surety to the satisfaction of Investigating Officer and the petitioner shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

It will be open for the Investigating Officer to issue notice in writing to the petitioner to join investigation. The petitioner will hand over a demand draft of Rs.25,000/- favouring the victim Shingara Singh or his brother Balkar Singh, to the Investigating Officer, which will be handed over to them against proper receipt.

It is also clarified that if the petitioner fails to join the investigation or co-operate in the same, it will be open for the Investigating Officer to move an appropriate application for cancellation of his bail.

04.06.2021
sandeep

(ARVIND SINGH SANGWAN)
JUDGE

Whether Speaking/Reasoned

:

Yes/No

Whether Reportable

:

Yes/No