

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M No.25393 of 2021
Date of Decision: 29.09.2021

Karanpreet Singh @ KP

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Prateek Sodhi, Advocate for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioner seeks grant of anticipatory bail in case bearing FIR No.75 dated 28.05.2020 registered under Sections 336, 427, 148, 149 IPC and Section 25 and 27 of Arms Act, 1959, at Police Station Cantonment, District Amritsar.

On 06.07.2021, following order was passed:-

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

Learned counsel for the petitioner contends that vide order dated 27.08.2020, petitioner was granted

interim bail by the Additional Sessions Judge, Amritsar. Petitioner could not join the investigation and resultantly, his bail was cancelled. Coaccused Sourav and Rahul were also granted interim bail vide order dated 27.08.2020. They did not join the investigation because of their involvement in FIR No.154 dated 27.08.2020 under Sections 307, 506, 148, 149 IPC and under Section 25/27 of Arms Act, Police Station Cantonment, District Amritsar. They filed CRM-M No.33891 of 2020 and anticipatory bail was rejected by the High Court vide order dated 23.10.2020.

Learned counsel further contends that the petitioner is not an accused in the aforesaid FIR No.154 dated 27.08.2020, rather he was accused in some other cases in which he was on bail on 27.08.2020 and there was no involvement of the petitioner in any other case. His non-joining of the investigation was purely on account of situation arising out of pandemic COVID-19 and on account of talks regarding compromise.

Notice of motion for 29.09.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 13.07.2021 at 11.00 A.M. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds 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 State counsel, on instructions from ASI Sham Sunder, submits that the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer and he is no more required for further investigation in the case.

For the reasons recorded in the order dated 06.07.2021, this Court finds that case of the petitioner is slightly different than the case of the co-accused, namely, Sourav and Rahul and the petitioner was not an accused in the FIR No.154 rather he was an accused in some other case in which he was on bail.

In view of the aforesaid factual position, the interim order dated 06.07.2021 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.

29.09.2021
D.Bansal/Anita

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No