

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204-2)

CRM-M-28575-2021

Date of decision:- 05.10.2021

Meharjit Singh @ Mehar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

While granting interim protection to the petitioner, this Court passed the following order on 23.07.2021:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.83 dated 02.04.2021 under Sections 307, 186, 353, 224, 225, 427, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station Sultanpur Lodhi, District Kapurthala (Annexure P-1).

Counsel places reliance on orders dated 15.07.2021 (Annexure P- 3) and 22.07.2021 passed in CRM-M-28105-2021 Gurmit Kaur versus State of Punjab and contends that the allegation against the petitioner is that he was a member of an unlawful assembly and resisted the arrest of his brother-Balwinder Singh @ Ladda in FIR No.275 dated 22.09.2018 registered for offences under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1989 at Police Station Sultanpur Lodhi. He submits that Balwinder Singh @ Ladda has surrendered and he has been released on regular bail vide order dated 02.07.2021 (Annexure P-2).

Notice of motion.

On asking of the Court, Mr. Sandeep Singh

Deol, DAG, Punjab accepts notice on behalf of respondent-State. Upon instructions from ASI Gurdeep Singh, he submits that the main accused is Baljinder Singh @ Motta, who is related to the accused, and tried to hit a police official with a Dang, but no injury was caused.

List on 05.10.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

To be heard with CRM-M-27088-2021.”

Interim protection granted to co-accused in connected petitions has been made absolute by this Court by an order passed on even date.

Learned State counsel, upon instructions, from ASI, Gurdeep Singh, submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 23.07.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

05.10.2021
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No