

203-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27809-2020 (O&M)
Date of Decision: 09.12.2021

Gurdeep Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Himmat Singh Deol, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Prabhdeep Singh Toor, Advocate
for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has prayed for grant of anticipatory bail under Section 438 Cr.P.C, pending trial in case FIR No.102 dated 29.05.2020 registered under Sections 323, 324, 341, 506, 427, 148 and 149 IPC (Sections 307 and 302 IPC added later on) at Police Station Khamano, District Fatehgarh Sahib. He apprehended his arrest at the hands of Police, in the above FIR.

On 22.09.2020, the following order was passed by this Court:

“Learned counsel for the petitioner contends that victim-Harjit died of solitary injury which is attributed to co-accused-Simrandeep Singh @ Simma. He contends that petitioner was not named in the FIR and no injury was attributed to him. It is pointed out that vide order dated 16.07.2020, learned Sessions Judge, Fatehgarh Sahib had extended the concession of interim pre-arrest bail to the petitioner and he had joined the investigation as well. He submits that the petition filed by the co-accused Harshpreet Singh, who is similarly situated is pending for 28.10.2020.

Notice of motion for 28.10.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of

arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be heard alongwith CRM-M-21840-2020.”

Learned counsel has argued that the petitioner was implicated on the basis of supplementary statement of the complainant and the investigation of the case is complete, as the final report has been filed against his co-accused. He further states that in deference to the above 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 Sukhwinder Singh, does not dispute this fact that the petitioner was implicated as an accused subsequently, but has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.09.2020 is made absolute.

09.12.2021

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No