

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37842-2021 (O&M)

Date of decision: 29.11.2021

Jagtar Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. K.S. Dhanora, Advocate for
Mr. T.P.S. Bhatti, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.182 dated 12.08.2021 under Sections 336, 506, 427, 34 IPC and Sections 25/27 of Arms Act, registered at Police Station Gharinda, District Amritsar.

While granting interim bail to the petitioner, following order was passed by this Court on 13.09.2021: -

“...FIR was lodged on the complaint of one Jagmal Singh who stated that in his house, he has Darbar of Baba Abdule Shah Kadari Raza Ji. The complainant does voluntary service. On 11.8.2021, he was present in his house. At about 10.15 pm, he

heard noise of firing of 2 shots outside his house. He checked the cameras installed in his house and saw that 2-3 persons were standing outside the house of complainant. The petitioner was one of them. Out of those 2 persons, one person fired 2 shots with pistol in front of house of complainant and went away. He further states that he has a pending dispute with petitioner. He had also got registered FIR No. 33 dated 28.2.2021 under Sections 295 A, 451 IPC and under Sections 25, 27 of Arms and under SC Act also against petitioner. He further alleged that a number of times, petitioner has threatened to kill the complainant.

Learned counsel for petitioner states that even as per allegations in FIR petitioner is not alleged to have fired the shots.

Mr. Cheema, learned AAG Punjab on instructions states that CCTV footage of incident has been procured by police. As per the same, petitioner is not present when shots were fired.

Learned counsel for complainant has argued that petitioner is accused in 6 FIRs.

Learned Counsel for petitioner states that petitioner is on bail in all the said FIRs. One FIR was quashed by this Court. In another FIR, petitioner has been found innocent. In the third FIR which is of year 2016, investigation has not been completed.

Considering the aforesaid, neither the petitioner alleged to have fired the shots nor petitioner seen in the CCTV camera, petitioner is entitled for anticipatory bail... ”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, assisted by learned counsel for the complainant and on instructions from ASI Daljit Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.09.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

29.11.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No