

**201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.38723 of 2021 (O&M)
Date of decision: 26.11.2021**

Mangal Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Tarun Sharma, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. FIR No.100 of 04.09.2020, constitutes therein offences under Sections 307, 336, 325, 148, 149 of Indian Penal Code, 1860, and, under Sections 25, 27 of Arms Act, 1959, and, is lodged at Police Station Kot Isse Khan, District Moga, therein the incriminating offences are attributed to be committed by the bail applicant.
2. This Court, through the order made on 12.11.2021, had granted ad interim bail to the bail petitioner.
3. The afore-stated order was made subject to the condition that the bail petitioner shall ensure the recovery, at his instance, by the Investigating Officer, of the incriminatory weapon of offence, as became allegedly used in his inflicting injuries upon the victim.
4. However, today, the learned State Counsel, on instructions, meted to him by ASI Major Singh, submits that no recoveries are to be effected by the Investigating Officer, at the instance of accused, as no

weapon of offence became rather used by him at the relevant time.

5. Consequently, the order dated 12.11.2021 is made absolute subject to the petitioner-bail applicant furnishing personal and surety bonds in a sum of Rs.25,000/- each, before the Investigating Officer concerned, and, also his appearing before the Investigating Officer concerned, as and when required through a written *Hukamnama* issued upon him. Moreover, also subject to his making an undertaking before the Arresting Officer that he shall not re-indulge in criminal activity, whereupon, on breach thereof, the benefit of anticipatory bail, as granted to him, shall become *ipso facto* annulled, leaving liberty to the Arresting Officer, to arrest him, and, thereafter, to produce the petitioner-bail applicant before the learned Magistrate concerned, for appropriate directions, vis-a-vis, an order of judicial custody being made upon him.

6. Disposed of.

(SURESHWAR THAKUR)
JUDGE

November 26, 2021

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Whether speaking/reasoned:- Yes/No

Whether reportable: Yes/No