

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-34784-2020 (O&M)
Date of Decision:- 6.4.2021

Sahib Singh alias Malat ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashish Aggarwal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Amrik Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.296, dated 30.8.2020, under Sections 307, 353, 186, 506, 427, 34, IPC, Police Station, Goindwal Sahib, District Tarn Taran.
2. At the time of issuance of notice of motion the following order was passed on 30.10.2020:

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.296, dated 30.8.2020, registered under Section 307, 353, 186, 506, 427, 34, IPC at Police Station, Goindwal Sahib, District Tarn Taran.

As per the case of the prosecution, the petitioner was suspected to be in possession of illegal firearm and therefore, before conducting raid, FIR No. 295, dated 29.8.2020, was

registered against him. It is alleged that when the police party went to apprehend the petitioner, his brother, while driving Tavera car, tried to run over the members of the police party. It is not disputed that learned Sessions Court granted interim protection from the arrest to the petitioner while permitting him to join the investigation. Learned counsel for the petitioner submits that the petitioner could not join the investigation because he was also sought to be arrested in FIR No. 295, dated 29.8.2020. He submits that now the petitioner has been granted the concession of pre-arrest bail in the aforesaid case. It is not disputed that none of the members of the police party suffered any injury.

Notice of motion.

On the request of the Court, Ms. Samina Dhir, DAG, Punjab, accepts notice on behalf of the State of Punjab and prays for time to seek instructions. Adjourned to 2.12.2020. Keeping in view the aforesaid facts, it is considered appropriate that let the petitioner join investigation. In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. The learned State counsel, upon instructions from ASI Amrik Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. In view of the aforestated position and bearing in mind the nature of allegations against the petitioner and while noticing that the petitioner has joined investigation, the petition is accepted and the

interim directions issued by this Court vide order dated 30.10.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

06.4.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No