

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: February 22, 2021

Ranjit Singh @ Rana

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.B.S.Goraya, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.258 dated 11.10.2020, under Sections 307, 506, 427, 148, 149 IPC 1860 and Sections 25 and 27 Arms Act, 1959, registered at Police Station, Sirhali, District Tarn Taran. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 07.12.2020, whereby the interim protection was extended to the petitioner. The said order reads as under:-

“The following order was passed on the last date of hearing:-

“Learned counsel contends that the complainant-Sukhwinder Singh was bent upon to take possession of the property possessed by the petitioner and a suit for permanent injunction was also filed by him, wherein the

civil Court vide order dated 15.06.2020 directed the parties to maintain status quo. He submits that despite the injunction granted by the civil court an attempt was made by Sukhwinder Singh to dispossess the petitioner and a case FIR No. 220 dated 17.07.2020 under Section 447, 427, 506, 511, 380, 148, 149 IPC, police station Sirhali, district Tarn Taran was registered against him . He contends that an application under Order 39 Rule 2-A C.P.C. was also filed by the petitioner.

Notice of motion for 07.12.2020.”

During the course of it is not disputed by learned State counsel that the Rajanpreet Singh-nephew of the petitioner also suffered injuries in the occurrence. He has pointed out that the petitioner has exceeded his right to private defence.

Adjourned to 22.02.2021.

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/Investigation Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said 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 Sarwan Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim
bail granted by this Court vide order dated 07.12.2020 is made absolute.

February 22, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No