

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-39717-2020

DATE OF DECISION: 21.01.2021

GURMEET SINGH @ BITTA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Shubham Mehta, Advocate for
Mr. Vivek Singla, Advocate for the petitioner.

Mr.Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in cross version registered vide rapat No. 50 dated 18.03.2020, under Sections 324, 323, 148 and 149 of the Indian Penal Code, 1860 ('IPC' - for short) (Section 326 IPC added later on vide rapat No. 13 dated 10.07.2020) and Section 25/27 of the Arms Act, 1959 ('Arms Act' - for short), registered at Police Station Jaitu in FIR No. 32 dated 16.03.2020, under Sections 302, 307, 324, 323, 148 and 149 IPC besides Section 25 of the Arms Act, registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner contends that it is a case of version and cross-version. The FIR was registered by co-accused Yadwinder Singh @ Nikka pertaining to the incident which resulted in the death of Jasbir Singh, who is the brother of the petitioner. Thereafter, a DDR was registered wherein it is alleged that the petitioner had given a 'gandasi' blow near the right eye of Gurpreet Singh @ Gora, who is also an accused in the FIR. He

also contends that there is an ambiguity in the medical opinion as the report of the Radiologist is still awaited.

This Court by the order dated 02.12.2020 had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from SI Baldev Singh, states that although the petitioner has joined investigation but 'gandasi' is yet to be recovered.

In view of the above especially when it is a case of version and cross-version, the brother of the petitioner was killed in the incident and the petitioner having joined investigation, the order dated 02.12.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

21.01.2021

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No