

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.49085 of 2019

Date of Decision:17.08.2021

Ajay Pal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through
video conferencing.

Petitioner seeks grant of anticipatory bail under
Section 438 Cr.P.C in case bearing FIR No.185 dated
29.08.2019 registered under Sections 307, 452, 427, 506, 34 of
the Indian Penal Code, 1860 and Section 25 of the Arms Act,
1959, Police Station Lopoke, District Amritsar Rural.

At the time of issuance of notice of motion, reliance
was placed upon **CRM-M No.47171 of 2019** filed by the co-
accused.

It is a case of no injury. According to the allegations,
two empty cartridges were found at the spot of the occurrence,

with two shots having been fired. At the time of passing of the order dated 05.11.2019 in CRM-M No.47171 of 2019, it was prima-facie considered that it would be highly unnatural as there would be no reason for a person to reload the gun after having fired only two shots at the spot.

Learned counsel for the petitioner submits that in compliance of the order dated 19.11.2019, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer. According to the petitioner, he has thrown the revolver into the river and recovery of 12 bore gun has already been effected from co-accused Jatinder Pal Singh.

Order dated 05.11.2019 passed in CRM-M No.47171 of 2019 has already been made absolute vide order dated 02.12.2019.

Learned State counsel on instructions from Investigating Officer admits the aforesaid fact and submits that the petitioner is no more required for further custodial interrogation in the case.

In view of aforesaid factual position, the interim order dated 19.11.2019 passed in the present case is made absolute. The petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Petition stands disposed of.

August 17, 2021
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(RAJ MOHAN SINGH)
JUDGE

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