

CRM-M No.51143 of 2019

Date of Decision : 12.08.2021

Gulshan Gir

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Fariad Singh Virk, Advocate for the complainant.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.166 dated 26.08.2019 registered under Sections 307, 452, 324, 323, 427, 506, 148 & 149 IPC and Section 25, Arms Act, 1959 at Police Station Passiana, District Patiala.

3. On 16.12.2019, the following order was passed:-

“ Prayer is for grant of anticipatory bail in case FIR No.166 dated 26.08.2019 under Sections 307, 452, 324, 323, 427, 506, 148, 149 IPC Act 1860 and Section 25 of Arms Act 1959 registered at Police Station Passiana, District Patiala.

Learned counsel for the petitioner submits that though as per the FIR the petitioner was armed with gandasi but no injury is attributed to him.

Notice of motion for 11.02.2019.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required. ”

4. Today, learned counsel for the petitioner contends while learned State Counsel on instructions from *ASI Lakhwinder Singh*, confirms that pursuant to the order of this Court dated 16.12.2019, the petitioner joined investigation, cooperated in the same, was released on ad-interim pre-arrest bail and his custodial interrogation is not required.

5. In view of the statement of learned State Counsel, order dated 16.12.2019, passed by this Court, is made absolute. The petitioner shall continue to abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be deemed to be an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

12.08.2021

‘Amit’

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>