

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

CRM-M-1845-2022 (O&M)

Date of Decision:- 24.2.2022

Kuldeep Khan @ Keepa

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jagmeet Singh Moudgill, Advocate, for the petitioners.

Mr. M.S.Dullat, Addl. AG, Punjab.

Ms. Navjot Singh, Advocate, for the complainant.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 158 dated 29.07.2021 under Sections 323, 427, 458, 506, 148, 149 IPC and Section 25 of Arms Act, registered at Police Station Dirba, District Sangrur.
2. At the time of issuance of notice of motion the following order was passed on 18.1.2022:

“Case has been taken up for hearing through Video Conferencing.
This petition under Section 438 Cr.P.C. for grant of pre-arrest bail

has been moved by petitioner in case FIR No.158 dated 29.07.2021 under Sections 148, 323, 427, 458 and 506 IPC read with Section 149 IPC and Section 25 of Arms Act, registered at Police Station Dirba, District Sangrur.

Learned counsel for the petitioner inter alia contends that version, as alleged in the FIR, is concocted one and there is no iota of truth therein. He further urges that no specific injury on the persons of complainant-Lakhwinder Dass and injured-Baljinder Dass is attributed to petitioner. He further urges that allegedly petitioner had given a dang blow on the gate of house of complainant-Lakhwinder Dass and thereby the property was damaged. He further urges that allegedly use of fire-arm has been attributed to co-accused Gurjit Singh, whereas injuries on the persons of complainant-Lakhwinder Dass and injured-Baljinder Dass have been attributed to co-accused namely Jagsir Khan @ Gaggi, Jagsir Singh @ Jaggi and Gurjit Singh. He further urges that co-accused Amandeep Singh @ Ganju has already been extended concession of pre-arrest bail by this Court, vide order dated 22.11.2021 passed in CRM-M-42707-2021. He further submits that though petitioner has no nexus whatsoever with the alleged offence, he is ready to join investigation as and when called upon to do so by the Investigating Agency.

Notice of motion.

At the asking of Court, Mr. Anmol Singh Sandhu, Assistant Advocate General, Punjab, accepts notice on behalf of respondent-State and seeks time to file status report. At this juncture, Mr. Navjot Singh, Advocate has put in appearance on behalf of complainant. Complete copies of paper book be supplied to them during course of the day.

Adjourned to 24.02.2022.

Meanwhile, in the eventuality of arrest of petitioner in the instant case FIR, he shall be enlarged on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting Officer/ Investigating Officer. Petitioner shall join investigation on 21.01.2022 at 10:00 AM sharp before Investigating Officer in

Police Station Dirba, District Sangrur, and on any other subsequent date as informed to him by the Investigating Officer. Petitioner shall abide by conditions as laid down in Section 438(2) Cr.P.C. in letter and spirit.

Status report by respondent-State be filed with the Registry of this Court well before the date fixed with copy in advance to learned counsel for petitioner.”

3. Learned State counsel has informed that pursuant to aforesaid directions, the petitioner has joined investigation and he is not required for custodial interrogation. It has also been informed that the petitioner is not wanted in any other case.
4. Having regard to the aforestated position wherein the petitioner has joined investigation and is not required for any custodial interrogation, the petition is accepted and interim directions issued by this Court vide order dated 18.1.2022 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.

24.2.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No