

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRM-M-5646-2022

Date of decision:- 03.08.2022

Gurmukh Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Satinderpal Singh Dhaliwal, Advocate for
Mr. Ravinderjeet Singh Dhaliwal, Advocate
for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab for State-respondent.

...

SUVIR SEHGAL, J. (Oral)

On 10.02.2022, this Court passed the following order:-

“Heard through video conferencing.

Instant petition has been filed under Section 438 of Code of Criminal Procedure, 1973, seeking grant of anticipatory bail in case FIR No.133 dated 29.12.2021, registered under Sections 333/353/354/186/148/149 of IPC, 1860, and Section 25 of the Arms Act, 1959, at Police Station Tapa Mandi, District Barnala, Annexure P-1.

Counsel for the petitioner submits that the allegation against the petitioner, who has been specifically named in the FIR is of having instigated a mob of 100-150 people, who attacked the police team and the civil administration officials, resulting in a fracture on the nose of the complainant as well as manhandling a lady constable. Counsel submits that no other attribution, besides instigation, has been ascribed to the petitioner. It is his argument that the petitioner was not present at the spot. He has made a reference to the CCTV recording placed on the record in a C.D. as Annexure P-3. Counsel further submits that the petitioner, who has clean antecedents, is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, AAG, Punjab, accepts notice on behalf of the respondent-State. Upon instructions from ASI Jasvir Singh, he submits that a dispute had arisen regarding illegal possession of land of Nagar Panchayat and when the police and administrative officials including the SDM tried to pacify the crowd, the petitioner and 04 other co-accused, who have been specifically named, incited the crowd. According to his information, two accused have been arrested.

List on 02.05.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer 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/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Upon instructions received from L/SI, Reenu, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above, but without commenting on the merits of the case, present petition is allowed.

Order dated 10.02.2022 granting interim bail to the petitioner, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

03.08.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No