

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

CRM-M-11112-2021 (O&M)
Date of Decision:- 7.2.2022

Sandeep Singh @ Soni

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naresh Jain, Advocate, for the petitioner.

Mr. Anmol S. Sandhu, AAG, Punjab,
assisted by ASI Prem Chand.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

CRM-4038-2022

In view of the reasons mentioned in the application, the same is allowed as prayed for and Annexure P-4 is taken on record subject to all exceptions.

CRM-M-11112-2021 (O&M)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.22, dated 29.1.2020, Police Station Sadar Patiala, District Patiala,

under Sections 302, 341, 323, 427, 506, 120-B IPC and Section 25 of Arms Act.

2. At the time of issuance of notice of motion, the following order was passed by this Court on 10.3.2021:

“Counsel for the petitioner herein would contend that petitioner has been falsely implicated in the present case, as his name was not mentioned in the FIR and he has been implicated as an accused on the basis of disclosure statement suffered by the co-accused.

Notice of motion for 13.09.2021.

At this stage, Ms. Samina Dhir, DAG Punjab, who is present in court, accepts notice on behalf of the respondent-State.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C ”

3. Learned counsel for the petitioner submits that he is nowhere named in the FIR and has been nominated as an accused in the present case on the basis of a supplementary statement recorded after about 9 months of lodging of the FIR.
4. Learned counsel has further submitted that several other co-accused who were also nominated on the basis of supplementary statement have already been granted anticipatory bail. Learned counsel in this

regard has referred to an order dated 3.2.2022 passed in CRM-M-37225-2021 wherein co-accused Manpreet Khan who has been nominated identically in the supplementary statement has been granted anticipatory bail by this Court.

5. Learned State counsel, upon instructions from ASI Prem Chand has informed that pursuant to interim directions, the petitioner has joined investigation though, he has not cooperated inasmuch as the weapon of offence has not been got recovered. It has further been informed that the petitioner otherwise has a clean record and is not involved in any other case.
6. Having regard to the facts and circumstances of the case particularly the fact that the name of the petitioner surfaced after about 9 months of occurrence on the basis of a supplementary statement and while also noticing that an identically situated co-accused Manpreet Khan had already been granted bail by this Court, the petition is accepted and interim directions issued by this Court vide order dated 10.3.2021 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.

07.2.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No