

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-12528-2022
Date of decision : 10.05.2022

Surinder Pal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Vijay Singla, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.44 dated 19.04.2021 registered under Sections 336, 337, 427 IPC and Section 182-A of the Motor Vehicles Act, 1988 (Amendment 2015) at Police Station Amloh, District Fatehgarh Sahib.

On 25.03.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner has submitted that the petitioner is a very poor person and is 58 years of age and earns his livelihood by doing labour job. It is submitted that on the said date, the petitioner had reached the village in the morning to search and approach the person concerned for the job work and had reached nearby where the blast took place and on account of the same, he had himself suffered grievous and burn injuries and remained under treatment for a long time. It is submitted that the

petitioner did not even know about the registration of the said FIR and learnt about the same in the month of October, 2021. It is further submitted that the petitioner does not know how to drive a motorcycle/car. It is submitted that even as per the allegations in the FIR, it cannot be said that the petitioner was in conscious possession of the vehicle even if it is assumed that it is the petitioner who was driving the motorcycle. It is submitted that the explosion was neither a RDX material nor any act which would jeopardize the security of the country. It is further submitted that the petitioner is not involved in any other case.

Notice of motion for 10.05.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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.

March 25, 2022

(VIKAS BAHL)
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Baljinder Singh, has submitted that the petitioner has joined investigation on 30.04.2022 and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 25.03.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

May 10, 2022
Davinder Kumar

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