

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

206

CRM-M-15608-2022 (O&M)

Date of decision: 02.12.2022

HARMANPREET SINGH

...Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. AS Barnala, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition, the petitioner seeks anticipatory bail in case bearing FIR No.591 dated 10.12.2021, registered under Sections 307, 458, 323, 341, 506, 148 and 149 IPC; Sections 25 and 27 of the Arms Act and Section 325 IPC (added later on), at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner submits initially the petitioner was granted interim bail by the Sessions Court on 05.04.2022 and directed to join the investigation; that though the petitioner joined the investigation, yet on the statement made by the concerned Investigating Officer, that he was not cooperating, the interim protection granted to him was withdrawn and that the petitioner is ready to join and cooperate with the investigating agency.

Vide order dated 19.04.2022 passed by this Court, the petitioner had been granted ad interim pre-arrest bail and directed to join the investigation.

Learned counsel for the petitioner submits that pursuant to the aforesaid order, the petitioner has joined the investigation.

Learned State counsel on the instructions from ASI Jagsir Singh submits that though the petitioner has joined the investigation, yet he is not cooperating with the investigating agency, inasmuch as, he has not surrendered the pistol in question till today. Same was the position on 02.09.2022.

At this stage, learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the petitioner was not named in the FIR and has been indicted on the basis of the statement of the complainant, who is a senior Constable in the Police Department; that neither there was any damage to the car nor the car was taken into possession and that there is no MLR on record to show that there was any injury on the person of the complainant.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 19.04.2022 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

02.12.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No