

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

**CRM-M-15959-2022
Date of decision: 28.04.2022**

Swaran Singh @ Gandhi Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. P. S. Ahluwalia, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Amitabh Tewari, Advocate,
Ms. Mahima Gupta, Advocate and
Mr. Shivam Sharma, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.58 dated 17.05.2021 registered under Sections 302, 307, 326, 323, 324, 427, 148, 149 IPC, 25/27/54/59 of the Arms Act and 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Sadar Patti, District Tarn Taran.

The operative part of the order dated 20.04.2022, vide which the arrest of the petitioner has been stayed, is reproduced below:

“Counsel for the petitioner has relied upon the order dated 23.02.2022 passed in CRM-M No.3006 of 2022 vide which the coaccused of the petitioner namely Patel Singh has been granted the concession of anticipatory bail noticing the fact that another co-accused Paramjit Singh has also been granted the concession of anticipatory bail. It is also submitted that the petitioner is aged about 81

years and no overt act is attributed to the petitioner and he is suffering from chronic kidney patient.

Notice of motion.”

After hearing learned counsel for the parties and finding that no overt act is attributed to the petitioner, who is aged about 81 years, and he is a chronic kidney patient, the present petition is allowed and order dated 20.04.2022, vide which the arrest of the petitioner was stayed, is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

28.04.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No