

CRM-M-18745-2021

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

CRM-M-18745-2021

Date of decision: 03.02.2022

Gurpreet Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. G.K.Mann, Sr. Advocate with
Mr. Gursewak Singh and Mr. Sunil Kumar, Advocate,
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. S.K.Arya, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.04 dated 04.01.2021, registered at Police Station Majitha, District Amritsar Rural, under Sections 307 IPC and Sections 25 and 27 of the Arms Act, 1959.

Additional affidavit of the Senior Superintendent of Police, Amritsar Rural, filed in the Registry, is taken on record.

Learned Senior Counsel for the petitioner submits that pursuant to the order dated 17.05.2021 passed by a Coordinate Bench, the petitioner has joined investigation.

Learned State counsel, assisted by the learned counsel for the complainant, submits that the prosecution agency is in the process of

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cancelling the cross-case got registered by the petitioner. It is also submitted that the weapon stands recovered from the petitioner. In such circumstances, the petitioner is not entitled to the grant of anticipatory bail.

I have heard the learned counsel for the parties.

The gun-shot injury on the left leg of the complainant has been attributed to the petitioner. On the statement of the petitioner, a cross-case was registered against the complainant party vide DDR No.20 dated 13.01.2021, alleging that the petitioner had also received gun-shot injury from the complainant.

On 13.10.2021, learned State counsel, on instructions from the Investigating Officer, submitted that the petitioner had joined investigation and was not required for any further investigation of the case.

Vide order dated 17.05.2021 passed by the Coordinate Bench, the petitioner had been granted *ad interim* pre-arrest bail and directed to join investigation. The *ad interim* pre-arrest bail granted to the petitioner has been extended from time to time. The petitioner has appeared before the Investigating Officer and got recovered his weapon.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 17.05.2021 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.

03.02.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No