

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

296

CRM-M-23334-2022

Decided on : 01.08.2022

Harpreet Singh @ Babbi

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 59 dated 30.03.2022 registered under Sections 307, 379-B(2) and 34 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station Sadar Tarn Taran, District Tarn Taran.

On 18.07.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“CRM No.23832 of 2022

This is an application for preponement of the date of hearing in the main case.

For the reasons mentioned in the application, the same is allowed and the date of hearing in the main case is preponed from 24.08.2022 to today itself.

The main case is being taken up today.

CRM-M-23334 of 2022

The present petition has been filed under Section 438 C.P.C for grant of anticipatory bail to the petitioner

registered against him vide FIR No.59 dated 30.03.2022 under Sections 307/379-B(2)/34 IPC and Section 25 of Arms Act at Police Station Sadar Tarn Taran, Distict Tarn Taran.

Learned counsel for the petitioner contends that the petitioner himself has received gunshot injuries and the complainant, on the other hand, has received simple injuries. He submits that the prosecution version of the complainant is highly unbelievable and improbable.

Notice of motion for 01.08.2022.

In the meantime, petitioner is directed to appear before the SHO/ Investigating Officer to join investigation on 26.07.2022 and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/ Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- (i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.*

Meanwhile, the State is directed to file a reply on or before the next date of hearing.

Sd/-

18.07.2022

*(JASJIT SINGH BEDI)
JUDGE ”*

Learned counsel for the petitioner has submitted that the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Surender Singh, has submitted that there would be no requirement of filing the reply as the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 18.07.2022 and also the fact that the petitioner had joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 18.07.2022 is ordered to be made absolute.

However, 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 application.

(VIKAS BAHL)
JUDGE

01.08.2022
Mehak

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