

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-23329-2022
Date of decision : 21.07.2022

Lovepreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.P.K.S.Phoolka, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.043 dated 31.03.2022 registered under Sections 307, 148, 149 IPC and Sections 25 & 27 of the Arms Act, 1959 at Police Station Dayalpura, District Bathinda.

On 26.05.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, no injury has been caused to any person and the petitioner, at any rate, has neither been named in the FIR nor is stated to have fired any shots. It is further submitted that there was a kabaddi tournament and the only role which has been attributed to the present petitioner, which also surfaces from the order dated 20.04.2022 (Annexure P-3), vide which, anticipatory bail of the petitioner has been rejected, is that the petitioner had allegedly given a telephonic message to co-accused Vishnu Kumar and Surinder Kumar.

Notice of motion for 21.07.2022.

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.

26.05.2022”

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 Sikander Singh, has submitted that the petitioner has joined investigation 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 26.05.2022, 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 interim order dated 26.05.2022 is made absolute.

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

July 21, 2022
Davinder Kumar

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