

201

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

CRM-M No. 28733 of 2022
Date of Decision: 29.09.2022

Gurwinder Singh

-Petitioner

Versus

State of Punjab and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Tajinder Pal Singh Makkar, Advocate,
for the petitioner.

Mr. Sanjeev Soni, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.0045 dated 11.04.2020 registered under Section 379-B IPC (Offences under Sections 25, 27, 54, 59 of Arms Act and 120-B IPC added later on) at Police Station Kulgari, District Ferozepur.

Notice of motion was issued on 08.07.2022 and thereafter, on 16.08.2022, following order was passed:-

“Petitioner is member of Block Samiti, Mamdot and is owner of 22 acres of land in the village.

Learned counsel for the petitioner submits

that the petitioner has been nominated on the basis of disclosure statement of Nirbhai Singh who along with two other persons was involved in a case of theft. In the disclosure statement of aforesaid Nirbhai Singh, licensed weapon of the petitioner was allegedly used by the main accused and thereafter, it was returned to the petitioner. Petitioner has not participated in the offence in any manner.

Learned State counsel on instructions from ASI Kulwant Singh however opposes the case on the ground that the petitioner is also involved in other cases as well.

Adjourned to 29.09.2022.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer on 20.08.2022 and in the event of arrest of the petitioner, he shall be enlarged on interim bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the Arresting Officer. However, the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of order dated 16.08.2022, the petitioner has already joined the investigation on 23.09.2022 to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Amar Singh admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case. Report under Section 173 Cr.P.C. is yet to be filed in the concerned Court.

In view of aforesaid factual position, the interim order dated 16.08.2022 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

29.09.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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