

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

**CRM-M-34948-2022**

**Date of Decision: 08.09.2022**

**Gurmeet Singh @ Sonu**

**.....Petitioner**

**Vs.**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Angrej Kumar, Advocate,  
for the petitioner.

Mr. Tarun Aggarwal, Sr. D.A.G., Punjab.

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**VIKAS BAHL, J. (Oral)**

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 108, dated 31.08.2020, under Sections 307/452/380/506/323/148/149 of the Indian Penal Code, 1860, and Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Bhindi Saidan, District Amritsar Rural.

On 08.08.2022, this Court was pleased to pass the following order:-

*“Learned counsel for the petitioner inter alia contends that the present case is a case of version and cross-version and it is the complainant party in the FIR, who was actually the aggressor and in the cross-version, which has been got registered on the statement of one Rattan Singh, offence under Sections 326 and 307 of IPC have been subsequently added on the basis of medical record of the present petitioner and the present petitioner has suffered a grievous head injury and was not even able to properly speak and needs constant supervision. It is further submitted that on the other hand, the*

*present FIR was lodged on the complaint of Sukhdeep Singh, who alleged that on 30.08.2020 at about 12.30 a.m, he heard some noises outside his house and he went upstairs and in the meanwhile, some persons namely, Manpreet Singh armed with a rifle, Kaka armed with datar, Manjit Singh son of Rattan Singh armed with Patta, Bau armed with datar, Surjit Singh, Kikkar Singh, Manjit Singh son of Sukhdev Singh, Buta Singh, Sarabjit Singh, Mustan Singh, Sonu (present petitioner), Nirvair Singh along with 15-20 unidentified persons armed with dangs and sotas broke open the gate and forcibly entered the house of the complainant. It is contended that the assailants damaged the articles lying in the house and the family members of the complainant left the house due to fear. It is further contended that Manjit Singh fired from the rifle at the complainant, however, the shot missed him and the complainant went to his neighbour's house and the assailants followed the complainant. It is argued that no specific injury has been attributed to the present petitioner. It is also argued that co-accused of the petitioner namely Talwinder Singh @ Kaka has also filed a petition for grant of anticipatory bail bearing No.CRM-M-25026-2022 and in the said case, notice of motion has been issued for 08.09.2022 and interim protection has been granted to the said Talwinder Singh @ Kaka.*

*Notice of motion for 08.09.2022.*

*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.*

*To be heard alongwith CRM-M-25026-2022.*

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Gurjeet Singh, has submitted that 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 08.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 08.08.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final 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.

September 08, 2022  
nitin

(VIKAS BAHL)  
JUDGE

Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No