

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(210)

CRM-M-36615-2022

Date of decision: - 22.11.2022

Sukhdeep Singh @ Sukhmanjeet Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Tarun Sharma, Advocate, for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Nakul Sharma, Advocate, for the complainant.

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 case FIR No.43 dated 09.07.2022, under Sections 307, 148 and 149 IPC and Section 25 of the Arms Act, at Police Station Talwandi Bhai, District Ferozepur

On 22.08.2022, this Court was pleased to pass the following order:-

“A perusal of the paper book would show that in the present case, it is not in dispute that no injury has been caused to any person and although, the petitioner is stated to be armed with revolver but he is not stated to have fired the same and the petitioner is not involved in any other case.

Notice of motion for 29.09.2022.

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.

(VIKAS BAHL)
JUDGE

22.08.2022"

Thereafter, on 28.10.2022, this Court was pleased to pass the following order: -

"Learned State Counsel has submitted that although, the petitioner has joined the investigation but is still required for further investigation.

The petitioner is again directed to join the investigation before the concerned Investigating Officer on 10.11.2022 at 11:00 AM.

Adjourned to 22.11.2022.

Interim order to continue.

(VIKAS BAHL)
JUDGE

28.10.2022"

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

Learned State counsel, on instructions from SI Jugraj 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 more so, the facts which have been noticed in abovesaid order dated 22.08.2022 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 22.08.2022 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.

November 22, 2022
naresh.k

(VIKAS BAHL)
JUDGE

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