

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-42274-2022

Date of decision : 27.09.2022

Prabhpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Aazam Khan, Advocate for
Mr.Ritesh Pandey, Advocate
for the petitioner.

Mr.Ramdeep Partap Singh, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a second petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.48 dated 18.08.2022 registered under Sections 307, 452, 336, 148, 149 IPC and Section 25 of the Arms Act at Police Station Tibber, District Gurdaspur.

On 15.09.2022, this Court was pleased to pass the following order:-

“Inter alia contends that the present petition is the second petition for anticipatory bail and the first petition for anticipatory bail was withdrawn on 12.09.2022 with liberty to file a fresh petition after giving complete details of the cases pending against the petitioner. It is submitted that the requisite details have been provided and the petitioner is although, stated to have been involved in 5 cases but has been acquitted in 2 cases and has been granted the concession of anticipatory bail in the other 3 cases. The petitioner along with, other persons, was stated to be armed with a datar/sword but no specific overt act much less, any injury has been attributed to the present petitioner.

Notice of motion for 27.09.2022.

In the meantime, in the event of arrest, the petitioner is ordered to 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 along with CRM-M-41084-2022.

(VIKAS BAHL)
JUDGE

September 15, 2022.”

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

Learned State counsel 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 15.09.2022, 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 15.09.2022 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

September 27, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No