

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

Sr. No. 212(2)

**CRM-M No.53235 of 2021
Date of decision : 19.01.2022**

Makhan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Raj Karan Singh Verka, Advocate for the petitioner.
Ms. Samina Dhir, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 76 dated 03.06.2021 registered under Sections 307, 379-B, 511, 506, 34 IPC and Section 25 of the Arms Act 1959, (Sections 307 and 379-B IPC along with Section 25 Arms Act deleted and Sections 392/427 IPC added in the challan) at Police Station Kiratpur Sahib, district Rupnagar.

Briefly stated, the case of the prosecution is that the petitioner, along with his co-accused, attempted to commit dacoity after stopping the complainant's vehicle.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case; the petitioner has no criminal antecedents; the petitioner was an employee of R.K.C. Company of which the complainant is also an employee; the aforesaid company owed

salary to the petitioner and when he sought recovery thereof, one Kulwant Singh fired on the petitioner's co-accused; as a counter blast and to cover up the attack on the petitioner's co-accused the present FIR was lodged by the complainant; DSP Anandpur Sahib conducted an inquiry and found the case against the petitioner to be false; co-accused Gurdeep Singh has been granted anticipatory bail by this Court and that the petitioner is also ready and willing to join the investigation as and when called by the investigating agency.

Learned State counsel fairly admits that the case of the petitioner is covered by Gurdeep Singh's case who has already been granted anticipatory bail by this Court.

After considering the above submissions, subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in the aforesaid FIR, the petitioner is directed to be released on anticipatory bail to the satisfaction of the Arresting Officer.

The petition is allowed in the above terms.

19.01.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No