

**105 + 219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-54657-2021(O&M)****Date of Decision : 10.01.2022**

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANOOP CHITKARAPresent: Ms. Aashna Gill, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. G.S. Bedi, Advocate for the complainant.

ANOOP CHITKARA, J (ORAL)**CRM-597-2022**

Application for placing on record documents Annexure R-1 to R-3 is allowed in terms of the contents and prayer made therein. Document Annexures R-1 to R-3 are taken on record.

CRM-M-54657-2021

The petitioner, apprehending arrest, came up before this Court under Section 438 Cr.P.C., seeking anticipatory bail.

2. Vide order dated 06.01.2022, this Court had granted interim anticipatory bail to the petitioner.

3. Learned State counsel on instructions from ASI Jarnail Singh has strongly opposed the bail on the ground that although the petitioner has joined the investigation but he is not cooperating. Learned counsel for the complainant has also opposed the bail by saying that it is a serious offence of murder. However, learned counsel for the petitioner submits that the offence

committed was culpable homicide not amounting to murder and the case would fall under Section 326 of IPC.

4. Given the nature of allegations, no pre-trial incarceration is required. Without commenting on the case's merits and the circumstances peculiar to this case, the petitioner makes a case for release on bail.

5. Given above, the present petition is allowed. The interim order dated 06.01.2022 is hereby made absolute subject to the condition that the petitioner shall fully cooperate with the investigator.

6. The petitioner shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority within 30 days from today and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case.

7. On his failure to do so, it shall be open for the State to move an appropriate application for cancellation of bail on this ground alone.

8. *There would be no need for a certified copy of this order for furnishing bonds. Any Advocate for the petitioners can download this order along with the case status from the official web page of this Court and attest it to be a true copy. The Prosecutor shall also verify the downloaded copy by comparing it from the official web page. In case the attesting officer or the Court wants to verify the authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

(ANOOP CHITKARA)
JUDGE

January 10, 2022
Manpreet

Whether speaking/reasoned	Yes
Whether reportable	No