

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-55919-2022

Date of decision: 21.12.2022

Arshdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms. Ashutosh Pandey, Advocate for
Mr. Harmanpreet Singh, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in this petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case bearing FIR No.23 dated 08.03.2022 registered under Sections 323, 336, 341, 379, 452 IPC; Sections 25 and 27 of the Arms Act at Bhikhiwind, District Tarn Taran.

On 02.12.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, no specific injury has been attributed to the present petitioner nor the petitioner is stated to be carrying any specific weapon. It is submitted that in the inquiry conducted, brother of the petitioner namely Gagandeep Singh has been found to be innocent although there is a specific allegation qua him. It is further submitted that in order to show his bonafide and without admitting his liability, the petitioner is ready to pay an amount of Rs.20,000/- to Rajbir Singh who is the complainant in the present case within a period of two weeks from today.

Notice of motion for 21.12.2022.

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.

The petitioner is directed to prepare a demand draft of an amount of Rs.20,000/- in the name of the complainant and hand over the same to the Investigating Officer within a period of two weeks from today and the Investigating Officer is directed to hand over the same to the complainant after taking receipt from the complainant.

It is made clear that in case the demand draft of the said amount is not handed over to the Investigating Officer within a period of two weeks from today, then the interim order granted is liable to be vacated. The payment of Rs.20,000/- to the complainant would be not construed as an admission of guilt by the petitioner.

02.12.2022

(VIKAS BAHL)
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has handed over a demand draft of Rs.20,000/- in the name of the complainant to the Investigating Officer and has joined the investigation.

Learned State counsel, on instructions from ASI Lakhbir Singh, has submitted that the petitioner has handed over the demand draft of Rs.20,000/- to the Investigating Officer. He has further submitted that the petitioner has joined the 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 02.12.2022, 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 02.12.2022 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.

21.12.2022

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(VIKAS BAHL)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No