

2023:PHHC:049122

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 201

CRM-M-686-2023

Date of decision:11.04.2023

Sahib Singh

..... Petitioner

VERSUS

The State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Reena Verma, Advocate, for the petitioner.

Mr.Shubham Kaushik, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.122 dated 01.10.2022 registered under Sections 323, 324, 336, 148, 149 IPC and Section 25 of the Arms Act, 1959 at Police Station Dera Baba Nanak, Gurdaspur.

On 09.01.2023 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contents that the petitioner is only 20 years old; he has no other criminal antecedents; the FIR in question has been lodged after an unexplained delay of 02 days; all the co-accused of the petitioner except Nishan Singh, who are similarly situated, have been granted anticipatory bail by the Trial Court; no empty shell has been recovered from the spot showing falsity in the allegations made against the petitioner that he fired in the air and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Mr.Arun Luthra, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State and prays for time to argue the matter.

For arguments, adjourned to 11.04.2023.

In the meanwhile 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 FIR No.122, dated 01.10.2022, registered under Sections 323, 324, 336, 148, 149 IPC and Section 25 of Arms Act, 1959 at Police Station Dera Baba Nanak, District Gurdaspur, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that the State no longer requires the petitioner for investigation purposes.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, subject to the petitioner's abiding by the conditions prescribed under Section 438(2) Cr.P.C the order of this Court dated 09.01.2023, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

11.04.2023
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No