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2023:PHHC:045365

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2374-2023

Date of decision :27.03.2023

SUSHIL KUMAR ALIAS SHEELA

... Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sandeep Arora, Advocate
for the petitioner(s).

Ms. Ramta Chaudhary, DAG, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.122 dated 30.08.2022 registered under Section 379-B IPC and Section 25 of the Arms Act (added later on) at Police Station Goraya, District Jalandhar Rural.

The learned counsel for the petitioner submits that in compliance of the order dated 17.01.2023 petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

An affidavit dated 27.03.2023 by way of an affidavit of Jagdish Raj, PPS, Deputy Superintendent of Police, Sub-Division Phillaur, Districtt Jalandhar (Rural) has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. The learned counsel for the State on instructions from ASI Manpreet Singh admits the aforesaid fact of the petitioner having joined investigation but states that the weapon is to be recovered from the petitioner.

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A perusal of the FIR would reveal no reference to a firearm.

In view of aforesaid factual position, the interim order dated 17.01.2023 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

27.03.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No