

**210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-1974 of 2023

Date of Decision: February 16, 2023

Gurnoor Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Anshumaan Dalal, Advocate for the petitioner.
Mr. R.S. Khaira, DAG, Punjab.
Mr. A.P.S. Rehan, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 438 Cr.P.C, petitioner has prayed for grant of anticipatory bail in case FIR No.01 dated 03.01.2022 registered under Sections 302, 307, 379-B, 34 IPC and Sections 25 and 27 of Arms Act, 1959 at Police Station Kotli Surat Mallian, District Gurdaspur, Punjab.

Vakalatnama has been filed on behalf of the complainant.

Learned State Counsel submits that petitioner has since joined the investigation in compliance of the order dated 23.01.2023. However, learned State Counsel has placed on record copy of an FIR No.12 dated 09.02.2023 registered at Police Station Qila Lal Singh, Batala under Sections 307, 336, 148, 149 IPC and Sections 25 and 27 of the Arms Act by submitting that after getting interim protection, petitioner is involved in one more criminal case.

Heard.

As noticed in the order dated 23.01.2023, the role attributed to the petitioner is that he had supplied the weapons to co-accused Peter @ Nindu and Lovepreet Singh, who had committed the murder of Dilpreet Singh. Said role of the petitioner

emerged in the disclosure statement of co-accused Lovepreet after 11 months of the occurrence. It is also alleged that after committing the offence, the accused handed over their weapons to the petitioner who erased the number therefrom to destroy its identity.

Petitioner had also pointed out that though three cases were registered against him but he was on bail in all those cases. It is after noticing these facts that petitioner was given interim bail and as conceded by learned State Counsel, petitioner has already joined the investigation. Only due to criminal antecedents of the petitioner, benefit of bail cannot be declined to him as has been observed by Hon'ble Supreme Court in **Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, - Law Finder Doc Id # 332770.**

In case, petitioner is involved in another case, after the interim protection granted to him, he will face the necessary consequences as per law. As far as role attributed to him in the present case is concerned, having regard to the fact that he has already joined the investigation and is no longer required for investigation in the present case, the order dated 23.01.2023 is hereby made absolute. However, it is directed that petitioner shall continue to join the investigation if and so required by the Investigating Officer.

Disposed of.

February 16, 2023

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**(DEEPAK GUPTA)
JUDGE**

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