

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.208

CRM-M-7146-2023

Date of decision : 07.12.2023

Lakhvir Singh @ Rinku

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr.Rishu Mahajan, Advocate, for the petitioner.

Mr.Amish Sharma, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

1. Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.199 dated 06.12.2022 registered under Sections 323, 307, 148, 149 IPC and Sections 25 and 54 of the Arms Act, 1959 at Police Station Kartarpur, Jalandhar.

2. On 14.02.2023 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that after dismissal of the petitioner's plea for anticipatory bail by this Court the complainant has clarified his stand to the effect that it was not the petitioner who was part of the unlawful assembly which attacked the complainant.

Notice of motion.

Mr.Arun Luthra, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 24.04.2023.

Only till the adjourned date the petitioner's arrest is stayed.

Before the adjourned date the State shall file a status report after consideration of which further orders shall be passed in the instant petition.”

3. Thereafter, after the filing of the status report by the State, this

Court on 19.07.2023 had passed the following order : -

“On request of learned State counsel, adjourned to 09.10.2023.

In the meanwhile, subject to the petitioner 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.199 dated 06.12.2022 registered under Sections 323, 307, 148 and 149 IPC and Sections 25 and 54 of the Arms Act,

1959 at Police station Kartarpur, Jalandhar, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

4. Learned State counsel submits that in pursuance to the afore quoted order of this Court dated 19.07.2023 the petitioner has joined and cooperated with the investigation and that the State does not require the petitioner's custodial interrogation as also that the investigation *qua* the petitioner is complete.

5. After considering the above submissions made on behalf of the petitioner as recorded in the afore quoted order dated 14.02.2023 and the afore-referred statement made by the learned State counsel, the order of this Court dated 19.07.2023, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

6. Disposed of.

07.12.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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