

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.202

CRM-M-11569-2023

Date of decision : 08.05.2023

Gurdeep Singh @ Geepa

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Ms.Ramandeep Kaur, Advocate, for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

Mr.Ashish Gupta, Advocate, for the complainant.

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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.134 dated 04.12.2022 registered under Sections 308, 452, 323, 148, 149, 120-B IPC (Section 325 IPC added later on) at Police Station Badhni Kalan, District Moga.

(2) On 09.03.2023 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case as he is an eye witness in a murder case against the complainant's friend namely Ranjit Singh; the petitioner has no other criminal antecedents; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the petitioner has been attributed a simple injury; at the time of occurrence the petitioner was at the place of his employment (in this regard attention of this Court is drawn to the attendance chart annexed as Annexure P-3); there is no injury on the complainant's person to attract the applicability of Section 308 IPC 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.

For arguments, adjourned to 08.05.2023.

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.134, dated 04.12.2022, registered under Sections 308, 452, 323, 148, 149, 120-B IPC (Section 325 IPC added vide DDR No.24 dated 07.12.2022) at Police Station Badhni Kalan, District Moga, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

(3) 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.

(4) 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 09.03.2023, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

08.05.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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