

2023:PHHC:096695

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

CRM-M-11689-2023

Date of Decision: 28.07.2023

NAGINDER SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Prince Sharma, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

1. On 13.03.2023, the following order was passed by the
Coordinate Bench of this Court:-

“Naginder Singh has filed anticipatory bail petition under Section 438 Cr.P.C. in FIR No. 164 dated 17.09.2022 under Sections 452, 354, 506 of IPC and under Section 25 of Arms Act, registered at Police Station Sadar Patti, Tehsil Patti, District Tarn Taran, Punjab.

It is argued that the petitioner along with his child had gone to Cambridge International School for examination of his child of 5th standard. The school authorities were not allowing his child to appear in examination. The petitioner was not armed with any weapon as his weapon was already deposited at police station Tarn Taran. He is ready to join the investigation.

Notice of motion.

On the asking of this Court, Mr. Kunwarbir Singh, AAG, Punjab accepts notice on behalf of the State.

I have gone through the contents of FIR. As per the contents of FIR, it does not show that he showed his weapon to anybody. He is ready to join the investigation. Considering these facts, the arrest of the petitioner is stayed till next date, subject to the joining of investigation.

Adjourned to 12.05.2023.

Status report be filed by the respondent – State by the adjourned date.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.
3. Learned State counsel, on instructions from ASI Rajpal Singh, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.
4. In these set of circumstances, the petition is allowed and it is directed that in the event of arrest, the petitioner shall be admitted on bail to the satisfaction of Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.

28.07.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No