

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-29639-2023

Date of decision: 19.07.2023

Kanwaljit Singh @ Beeta

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ajay Pal Singh Rehan, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.25 dated 28.03.2023 under Sections 336, 506, 148 and 149 of the IPC and 25 and 27 of the Arms Act, 1959 registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur.

2. On the last date of hearing i.e. 05.06.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him/her/them to join investigation:-

“Learned counsel for the petitioner submits that admittedly an occurrence had taken place prior to the occurrence in question and it was a matter of record that the brother-in-law of the complainant's son inflicted injuries on the person of the petitioner's brother for which FIR No.0041 dated 04.04.2023 under Sections 452, 326, 324, 323, 148 and 149 of the IPC (Annexure P-2) was got registered against the opposite party. Learned counsel submits that it is thus apparent that just to exert pressure on the petitioner a false version had been brought forth in the FIR in question wherein it was alleged that the

petitioner along with the other accused came to the house of the complainant and fired with their respective country made weapons in the air. He submits that it is a matter of record that no injury has been attributed to the petitioner in the occurrence in question. He further submits that the petitioner is ready to join investigating and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 05.06.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 05.06.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

19.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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