

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

CRM-M-35244-2022

Date of decision: 12.05.2023

DEEPAK KUMAR @ DEEPU

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr Rishu Mahajan, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

1. On 17.02.2023, the following order was passed:-

“Petitioner is seeking anticipatory bail in the case bearing FIR No.325 dated 28.11.2020, under Section 336 IPC, 1860 and Sections 25/27 of Arms Act,1959, registered at Police Station “B” Division, Amritsar. Learned counsel for the petitioner contends that as per the allegations, the petitioner along with the co-accused had allegedly fired 3-4 gun shots and created ruckus on the road side. It has been further submitted that one of the co-accused, namely, Akhil has been released on bail. The weapon was licensed one in the name of Aman Kumar and the same has also been recovered. There is nothing to indicate that the petitioner was armed with any fire arm. In terms of order dated 18.10.2022, it was directed that no coercive action shall be taken against the petitioner.

Learned State counsel submits that the petitioner is yet to join the investigation and furthermore, the co-accused, namely, Abhi and Rahul have not been arrested despite conducting raids on repeated occasions.

Adjourned to 12.05.2023.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

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2. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.
3. On instructions from ASI Karanjit Singh, learned State counsel has not disputed the aforesaid factual aspects and also submits that the petitioner has joined the investigation and his custodial interrogation is not required.
4. In view of the aforesaid submissions, the order dated 17.02.2023, granting interim bail to the petitioner is made absolute.
5. The petition is allowed.

12.05.2023

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(VIVEK PURI)
JUDGE

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