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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-38486-2023 (O&M)****Date of decision: 12.09.2023**

Gurleen Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gaurav Kalsi, Advocate, for
Mr. H.S. Batth, Advocate
for the petitioner.

Mr. I.P.S. Sabherwal, DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.068 dated 10.06.2023 under Sections 307, 120-B of IPC and Sections 25, 27 of the Arms Act, 1959, registered at Police Station Khilchian, District Amritsar Rural.

2. Learned counsel for the petitioner submits that in compliance of the order dated 07.08.2023, which was passed by this Court in the following terms while granting the concession of interim bail, has joined the investigation and cooperated with the Investigating Agency.

“Learned counsel for the petitioner, while drawing the attention of this Court to the FIR which has been reproduced in the body of the petition, submits that a perusal of the same reveals that the petitioner was not named therein and two assailants, who allegedly fired at the injured were named. Still further, the petitioner was nominated as an accused on the basis of a disclosure

statement allegedly suffered by co-accused Jugraj Singh @ Tiddi, who too was nominated as an accused on the basis of a disclosure statement made by Harmandeep Singh @ Manna, who allegedly fired at the injured. He further submits that even in the disclosure statement, it has been merely stated that the petitioner had conspired with the two accused i.e. Harmandeep Singh @ Manna and Jaskaran Singh, who have been named in the FIR to kill the complainant.”

4. Learned State counsel, on instructions, has not disputed the submissions made by counsel opposite that no injury had been attributed to the petitioner in the occurrence in question and still further the petitioner was nominated as an accused on the basis of third disclosure statement of one Harmandeep Singh @ Manna, who had stated that the petitioner too had conspired with co-accused to carry out the crime in question. He further submits that custodial interrogation of the petitioner is not required.

5. In view of the above, the petition is allowed and interim order dated 07.08.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

12.09.2023

Satyawan

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No