

2023:PHHC:126420

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

208

CRM-M-39161-2023 (O&M)
Date of decision: 26.09.2023

Gurjant Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None

AMAN CHAUDHARY. J.

1. In view of the request letter circulated by Bar Association, the lawyers are abstaining from work.
2. On 10.08.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No.54 dated 29.06.2023, registered under Section 25 of Arms Act, 1959 at Police Station Khem Karan, District Tarn Taran.

Learned counsel contends that the name of the petitioner has surfaced based on disclosure statements of co-accused-Pargat Singh stating therein that two fire-arms recovered from him, had been supplied by the petitioner. There is no allegation that the said fire-arms were for the purpose of or used in commission of any offence. The petitioner is not involved in any other case. He is ready and willing to join the investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab. accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 17.08.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 26.09.2023.”

3. ASI Amarjeet Singh appears in person and submits that the petitioner has joined the investigation and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for any custodial interrogation.
4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 10.08.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.
5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

September 26, 2023
M.Kamra

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