

2023:PHHC:148954

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

CRM-M-55045-2023

Date of Decision: 22.11.2023

AMANDEEP SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Krishan Sehajpal, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

Mr. Surinder Sharma, Advocate
for the complainant.

VIVEK PURI, J.(ORAL)

1. On 03.11.2023, the following order was passed by the
Coordinate Bench of this Court:-

“Through the instant petition, the petitioner seeks anticipatory bail in case bearing FIR No.140 dated 03.08.2023 registered under Sections 447/506/323/354/148/149 of the IPC (Section 325 IPC and Sections 25/27 of the Arms Act added later on), at Police Station Sadar, Tarn Taran.

Learned counsel for the petitioner has contended that no role has been attributed to the petitioner and all the offences are bailable except the offence under Section 354 IPC. However, no allegation under Section 354 IPC has been levelled against the petitioner. There is also an inordinate delay of 23 days in lodging the FIR. The parties are also running into civil litigation and he has been falsely involved to pressurize to withdraw the civil suit filed by Sampuran Singh.

However, the bail is opposed by learned counsel appearing for the complainant alleging that the petitioner along with other co-accused were armed with weapons and caused injuries to the complainant and his mother.

Learned counsel for the petitioner further submitted that the petitioner is ready and willing to join the investigation.

Notice of motion.

Ms. Ruchika Sabherwal, learned DAG, Punjab, accepts notice on behalf of respondent-State and prays for time to file a status report in the matter.

At her request, adjourned to 22.11.2023.

Let the status report be filed on or before the next date of hearing with a copy in advance to the learned counsel for the petitioner.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation and recovery of weapon i.e. datar has been effected.

3. Learned State counsel, on instructions from SI Jaspal S. Dhillon, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.

4. Learned counsel for the complainant has opposed the bail application on the score that there are photographs depicting the presence of the petitioner and the co-accused in the occurrence.

5. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 03.11.2023, vide which the petitioner has been granted interim bail, is made absolute.

6. Petition is allowed.

22.11.2023
smriti

(VIVEK PURI)
JUDGE

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