

2023:PHHC:148964

**211/2 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-56084-2023

Date of Decision: 22.11.2023

AMRITPAL 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 07.11.2023, the following order was passed:-

“1. Petitioner is seeking 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

2. Learned counsel for the petitioner contends that there is a delay of 23 days in lodging the FIR and no injury has been attributed to the petitioner. All the offences except the offence under Section 354 IPC and Sections 25 and 27 of Arms Act are bailable. The allegations with regard to the commission of offence under Section 354 IPC have not been attributed to the petitioner. The petitioner is a distant relative of Sampuran Singh, coaccused who is in civil litigation with the complainant party. There is no allegation to the effect that the petitioner had used the firearm at the time of occurrence. Similarly, placed co-accused Amandeep Singh has been granted interim bail in terms of the order dated 03.11.2023 passed by the Co-ordinate Bench in CRM-M-55045-2023.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State and Mr. Surinder Sharma, Advocate has put appearance on behalf of the complainant.

5. It has been submitted by learned counsel for the

complainant that there were negotiations for compromise which has resulted in lodging the FIR and the recovery of firearm is to be effected from the petitioner. It has also been submitted that there are photographs with regard to occurrence which indicates the presence of the petitioner at the spot.

6. Learned State counsel submits that as per her instructions, no photographs have been submitted till date.

7. Adjourned to 22.11.2023.

8. 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.

9. To be heard with CRM-M-55045-2023.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

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 07.11.2023, vide which the petitioner has been granted interim bail, is made absolute.

6. Petition is allowed.

22.11.2023

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(VIVEK PURI)

JUDGE

Whether speaking/reasoned

: Yes/No

Whether Reportable

: Yes/No