

[209] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1563-2024
Date of Decision : 27.02.2024

Gagan @ Gurpreet Singh ...Petitioner
versus
State of PunjabRespondent

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Karanjeet Singh Brar, Advocate for the petitioner.
Mr. Sahil R. Bakshi, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

[1] Status report by way of affidavit dated 27.02.2024 of Shri Achhru Ram, PPS, Deputy Superintendent of Police, Sub Division Jalalabad, District Fazilka, on behalf of the respondent-State has been filed in Court today. The same is taken on record. Copy thereof has been supplied to learned counsel opposite.

[2] On 12.01.2024, the following order was passed by this Court:-

“ Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.15 dated 20.02.2023 registered under Sections 307, 452, 323, 427, 148, 149 of the IPC, 1860 & Section 25 of Arms Act, 1959 registered at Police Station Arniwala, District Fazilka.

FIR was lodged on the statement of Gurcharan Singh as per which on 20.02.2023 at about 03:00 p.m., when he was sitting at his house, Surinder Singh @ Sunny armed with pistol, Sukhjeet Singh @ Sukha armed with Kappa, Gulzar Singh armed with stick, Gagan @ Gaggi @ Gagandeep Singh armed with Kappa and Gagan @ Gurpreet Singh armed with kappa with various other persons reached there. Gulzar Singh raised lalkara and Surinder Singh @ Sunny with an intention to kill open fired upon him (complainant). Gagan @ Gaggi @ Gagandeep Singh inflicted blow with kapa on the back of the complainant whereas Gulzar inflicted blow with stick on his right shoulder. All the assailants started damaging the gate of the house.

Learned counsel contends that the only role attributed to the petitioner is about his presence and that he was armed with kappa. No injury whatsoever is attributed to the petitioner. Learned counsel has specifically pointed out that it is Gagan @ Gaggi @ Gagandeep Singh who is attributed to have inflicted blow with kappa on the back of the complainant and bail petition of said Gagan @ Gaggi @ Gagandeep Singh has already been disallowed by this Court vide order dated 17.07.2023 passed in CRM-M-33864-2023 (O&M). Learned counsel further contends that petitioner is different with the alias name of Gagan but his real name is Gurpreet Singh.

Notice of motion.

Ms. Kanica Sachdeva, AAG, Punjab accepts notice on behalf of respondent- State. Learned State counsel concedes the fact that no injury is attributed to the petitioner.

Adjourned to 27.02.2024 for filing status report.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. ”

[3] Today, learned State Counsel, on instructions from ASI Subhash Chander, has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 12.01.2024 and is no longer required for further investigation.

[4] In view of the aforesaid, the order dated 12.01.2024, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

[5] Disposed of.

(DEEPAK GUPTA)
JUDGE

27.02.2024
'Rajneesh'