

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-5782-2024
Date of Decision:03.04.2024

AVTAR SINGHPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Nirmal Sharma, Advocate for
Mr. Akhilesh Vyas, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by ASI Davinder Pal Singh.

DEEPAK GUPTA, J.(ORAL)

On 26.02.2024, following order was passed:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.0172 dated 02.12.2022 registered under Sections 452, 427, 379, 323, 148, 149 of the IPC, 1860 and Sections 25, 27 of Arms Act, 1959 (Sections 325 of the IPC, 1860 & Section 54/59 of Arms Act, 1959 added later on) registered at Police Station Rajasansi, District Amritsar Rural.

Learned counsel for the petitioner contends that only role attributed to the petitioner is that he was armed with the hockey at the relevant time, when he allegedly entered the house of the complainant along with co-accused. Learned counsel further contends that it is a case of version and cross-version. The cross-version was recorded on 03.12.2022 vide G.D. No.22 dated 03.12.2022 (Annexure P-2). Learned counsel also contends that the accused as named in the G.D.R. has already been allowed the benefit of anticipatory bail by the Trial Court.

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent- State.

Adjourned to 03.04.2024.

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. ”

Today learned State counsel, on instructions from ASI Davinder Pal Singh submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 26.02.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

03.04.2024

pry

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No