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

**CRM-M-6330-2024 (O&M)  
Date of decision : 15.04.2024**

Sukhdev Singh Toor

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. R.S. Bains, Senior Advocate,  
with Mr. Sourabh Bedi, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab,  
assisted by ASI Major Singh.

**MAHABIR SINGH SINDHU, J.**

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in DDR No.26 dated 23.10.2023, under Sections 307, 506, 148 read with Section 149 of the Indian Penal Code, 1860, (for short, 'IPC') & Section 27 of the Arms Act, 1959 (for short, 'Arms Act') in FIR No.148 dated 20.10.2023, under Sections 302, 404, 341 148 read with Section 149 IPC & Sections 25 & 27 of the Arms Act, registered at Police Station Kot Ise Khan, District Moga.

2. Allegations are that petitioner as well as other co-accused with a common object and being part of an unlawful assembly, fired gunshots; caused injuries to the informant & other victims; and criminally intimidated them.

3. Contends that this Court, granted interim bail to petitioner on 20.03.2024 and in terms thereof, he has already joined the investigation and his custodial interrogation is not required.

4. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

5. Heard learned counsel for the parties and perused the paper-book.

6. It is an admitted position that petitioner was granted interim bail by this Court on 20.03.2024 and relevant part of the same is recapitulated as under:-

*“Short reply by way of an affidavit dated 29.02.2024 of Sh. Amarjit Singh, DSP, Dharamkot, District Moga has been filed. The same is taken on record. Copy thereof supplied to the opposite side.*

*Contends, inter alia, that from bare reading of DDR No.26 dated 23.10.2023, there is no injury attributed to the petitioner and moreover, in the alleged occurrence, from petitioner’s side, two persons have died.*

*Learned State Counsel assisted by ASI Major Singh, seeks time to have further instructions in the matter.*

***Posted for 15.04.2024.***

*In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as*

*envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”*

7. It is acknowledged by learned State counsel that in pursuance of above order, petitioner has joined the investigation and his custodial interrogation is not required at this stage.

8. In view of above, interim order dated 20.03.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

11. Disposed off accordingly.

12. Pending application(s), if any, shall also stand disposed off.

**15.04.2024**  
*atulsethi*

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

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