

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-6848-2024
Date of decision: 29.02.2024

HARPREET SINGH AND ANOTHER Petitioners

Versus

STATE OF PUNJAB Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Meena, Advocate,
 for Mr. Amit Arora, Advocate
 for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the
petitioners seek anticipatory bail in case FIR as under: -

FIR No.	Dated	Sections	Police Station
107	30.06.2023	307, 379, 427, 148, 149 IPC; 25 & 27 of Arms Act, 1959 (Section 411, 201 IPC and 29 of the Arms Act, 1959 added later on)	Sirhali, District Tarn Tarn

2. Learned counsel for the petitioners submits that in compliance
to the order dated 09.02.2024, the petitioners have joined the investigation.

3. During the course of hearing on 09.02.2024, following order
had been passed: -

*‘2. Learned counsel for the petitioners, inter alia,
contends that the petitioners have been falsely
implicated in this case and have no role to play therein.*

He submits that even as per the prosecution version, no specific overt act has been attributed to the petitioners. He further submits that co-accused Kashmir Singh has already been granted the concession of interim anticipatory bail by this Court vide order dated 20.12.2023 passed in CRM-M-58609-2023 and the petitioners are similarly placed. He contends that the petitioners have no criminal antecedents and are ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Sarabjit Singh Cheema, DAG Punjab present in Court accepts notice on behalf of the respondent-State and on instructions from ASI Gurpreet Singh, P.S. Sirhali, District Tarn Taran submits that no overt act has been attributed to the petitioners. He has, however, not disputed that the case of the petitioners is at par with that of co-accused Kashmir Singh.

5. List on 29.02.2024.

6. In the meanwhile, the petitioners are hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioners, they shall be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.'

4. Learned State counsel on instructions from ASI Gurpreet Singh informs the Court that the petitioners have joined the investigation and is neither required for further investigation nor for any custodial
interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioners have joined the investigation consequent to the order dated 09.02.2024 passed by this Court, interim bail granted vide order dated 09.02.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioners are directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioners; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

29.02.2024
puneet

(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |