



211 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-8948-2024 (O&M)
Date of Decision: 07.05.2024

Mehar Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Gurmeet Kaur, Advocate,
 for the petitioner.

Ms. Avneet, AAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No.39 dated 30.04.2021 registered under Sections 307, 506, 120-B and 148 read with Section 149 IPC and Sections 25 & 27 of Arms Act, 1959, at Police Station, Makhu, District Ferozepur.

2. Allegations are that petitioner along with co-accused Satpal @ Paala, Maninder Singh, Phinder Singh, Rona, Amrit Singh, Bohar Singh and Gurmeet Singh formed an unlawful assembly and in prosecution of common object of said assembly fired shot at Manpreet Singh which hit on his left arm. All the accused fled away from the spot.

3. Learned counsel contends that matter has been amicably settled between the parties. Also contends that petitioner was granted interim bail vide order dated 18.03.2024 and in pursuance thereof, he has joined investigation; thus, his custodial interrogation is not required.



4. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted 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. This Court vide order dated 18.03.2024, granted interim bail to petitioner and the same reads as under:-

“While making reference to compromise (P-3), contends, inter alia, that matter was amicably settled between the parties and the petitioner is 74 years of age.

Learned state counsel seeks time to have instructions in the matter.

Posted for 07.05.2024.

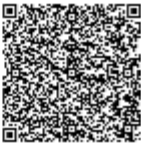
In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

7. In pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required by the Police, at this stage; thus, order dated 18.03.2024 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

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

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

10. Disposed off accordingly.



11. Pending criminal misc. application(s), if any, shall also stand disposed off.

07.05.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

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