

2024:PHHC:092944



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

204/2

CRM-M No.17992 of 2024
Date of decision: 23.07.2024

Anil Kumar ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Umesh Aggarwal, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

None for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed seeking anticipatory bail in case arising out of FIR No.303 dated 26.09.2023 registered under Sections 336 and 341 of IPC and Sections 25 and 27 of Arms Act, 1959 (Sections 307 and 120-B of IPC added later on) at Police Station Division B, District Police Commissionerate Amritsar.

2. On 15.04.2024, the following order was passed in this case:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.303 dated 26.09.2023 registered under Sections 336, 341 of IPC and Sections 25, 27, 54, 59 of Arms

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Act, 1959 and (Sections 307, 120-B of IPC added later) on at Police Station Division-B, Amritsar.

Counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the present case. That even otherwise as per the allegations recorded in the FIR, the petitioner was not present at the spot of occurrence at the relevant time and even otherwise it being a no injury case, main accused Gurdev Singh @ Sabha is granted interim bail by this Court vide order dated 21.03.2024 (Annexure P-2). Counsel for the petitioner further submits that the petitioner who is having no criminal history is ready to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and on instructions from ASI Nirbair Singh, Police Station Division-B, Amritsar has not refuted the fact that this is a no injury and that co-accused Gurdev Singh @ Sabha is already given concession of interim bail by this Court. However, the State counsel submits that petitioner is required by the police for proper investigation of the case.

*Now be listed on **30.04.2024**.*

To be heard along with CRM-M-14712-2024.

In the meantime, in case of arrest, the petitioner is directed to be released on interim bail by the Investigating Officer/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner should join the investigation with the police well in time before the next date of hearing and is to abide by the conditions as envisaged under Section 438(2) of Cr.P.C.”

3. Learned State counsel has submitted that the petitioner has joined the investigation. His custodial interrogation is not required.

4. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 15.04.2024

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granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

23.07.2024
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No