

2024:PHHC:092515



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

207

CRM-M No.26496 of 2024
Date of decision: 23.07.2024

Harbhajan Singh @ Sabbi Mallian Mahla ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vikas Arora, Advocate,
for the petitioner.

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

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 24.05.2024, 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 Act (Section 307, 120-B of IPC added later on) at Police Station B Division, Amritsar.

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Counsel for the petitioner inter alia submits that petitioner is falsely implicated in the present case and has nothing to do with the dispute which is their between the complainant-Rakesh Arora and coaccused-Anil Kumar Mahajan. It is further submitted that at the time of alleged occurrence no one sustained injuries and that co-accused Gurdev Singh and Anil Kumar are already granted concession of interim bail by this Court vide orders dated 21.03.2024 (Annexure P-2) and 15.04.2024. Counsel for the petitioner further submits that petitioner 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 Satnam Singh submits that petitioner is the main accused who fired two shots which hit tyre of car of the complainant. The State counsel further submits that petitioner is involved in two other criminal cases wherein he is already enlarged on bail. State counsel has not disputed the fact that at the time of occurrence no one suffered injuries and that co-accused Gurdev Singh and Anil Kumar are already granted interim relief by this Court.

*Now be listed on **23.07.2024**.*

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

3. Learned State counsel has submitted today that the petitioner has joined investigation on 12.07.2024. The recovery of weapon of offence has been effected from him. His custodial interrogation is not required.

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4. In view of the above said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 24.05.2024 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
Whether reportable

Yes/No
Yes/No