



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

CRM-M-27730-2024

Date of Decision: May 31, 2024

Deep Singh alias Deepu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kushagra Goyal, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

On 29.05.2024, following order was passed by this Court:-

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.51 dated 18.04.2024 registered under Sections 323, 285, 147, 148, 149, 452, 506 IPC and Sections 25 and 27 of Arms Act, 1959 at Police Station Baragudha, District Sirsa, Haryana.

As per allegations, Harpreet Singh alias Sukha along with 10-15 persons armed with various kinds of weapons trespassed the house of the complainant - Raghuvat and caused injuries to him.

The main accused- Harpreet Singh alias Sukha, as named in the FIR, was granted interim anticipatory bail; he was joined in the investigation and then he suffered disclosure statement, in which he stated that it is his friend Deep Singh i.e. petitioner, who had brought the other assailants at his instance. Petitioner was allowed interim anticipatory bail by the Court of Sessions but he did not cooperate in the investigation inasmuch as he did not disclose the name of other assailants brought by him including the persons who had fired shot and for this reason, his anticipatory bail was rejected by the Court of Sessions.

Learned counsel contends that the petitioner is ready to co-operate in the investigation if he be provided one opportunity.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts notice on behalf of the respondent- State.

Adjourned to 31.05.2024.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation and co-operate in the same, as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C .”

2. Today, though counsel learned counsel for the petitioner contends that in compliance of the order dated 29.05.2024, petitioner has joined the investigation and co-operated in the same by answering all the queries put to him, but learned State counsel, on instructions from the Investigating Officer of the case, informs that petitioner has not co-operated in the investigation as he has not disclosed the name of the other assailants. He even did not disclose the assailant, who had fired the shot from the pistol.

3. Learned State counsel further submits that co-accused Harpreet Singh @ Sukha shifted the blame upon the petitioner; whereas petitioner has tried to shift the blame upon Harpreet Singh @ Sukha and Manpreet Singh by contending that they have brought the other assailants.

4. Considering the aforesaid facts, it appears to this Court that without custodial interrogation of the petitioner, it will not be possible for the Investigating Officer to proceed further in the investigation to unearth the entire truth.

5. Having noticed all the aforesaid facts and circumstances, this Court is not inclined to grant the benefit of anticipatory bail to the petitioner.

Dismissed.

May 31, 2024

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No