



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210/2

CRM-M-29441-2024
Date of decision: September 25th, 2024

Kanwar Partap Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sandeep Wadhawan, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.45 dated 08.04.2024 under Sections 323, 341, 336, 148, 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Ranjit Avenue, District Amritsar.

2. On 16.07.2024, the following order was passed:-

“Learned counsel for the petitioner submits that the case of the petitioner is identical to that of co-accused Akashdeep Singh, who was extended the concession of interim bail vide order dated 03.07.2024 by this Court in the following terms:-

“Learned counsel for the petitioner, inter alia, contends that there is an unexplained delay of two days in the lodging of the FIR in question; even as per the allegations in the FIR, no specific role has been attributed to the petitioner except that the complainant had stated that after the occurrence in question, he had been making inquiries at his own level about the alleged assailants and later learnt that one of the assailants was the petitioner, who had waylaid and attacked him on the fateful day. It has also been submitted that all the offences are bailable in nature



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except for offences under the Arms Act, coupled with the fact that it is a case of no injury.”

Learned counsel for the petitioner has further submitted that the petitioner has no criminal antecedents.

Adjourned to 25.09.2024.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner submits that in compliance of order dated 16.07.2024, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from S.I. Rajwant Kaur, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.
5. In view of the above, the petition is allowed and interim order dated 16.07.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

September 25th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No