

24/08/2024 09:37
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-29764-2024

Date of Decision : **August 07, 2024**

MANMEET SINGH SEKHON @ MANMEET SEKHON

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Randhir Singh, Advocate alongwith
Mr. Sukhwinder Singh Kainth, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

Mr. I.S.Dhaliwal, Advocate and
Mr. Gagandeep Singh, Advocate
for the complainant.

KULDEEP TIWARI, J. (Oral)

1. On 19.06.2024, a co-ordinate Bench of this Court had passed the
hereinafter extracted order, upon the instant petition:-

“The petitioner in the present petition is asking for grant of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, in FIR No.66 dated 13.05.2024, under Sections 452, 506 IPC and Section 25, 27 of Arms Act, 1959, registered at Police Station Division No.5, Ludhiana.

2. Learned counsel for the petitioner contends that as per the FIR, though the petitioner was in possession of the pistol but it was never used by him and the same was deposited with the police on 15.06.2024. He further submits that there is a property dispute between the petitioner and the complainant due to which the petitioner has been falsely implicated in the



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present FIR. He further submits that the petitioner is ready to join the investigation, therefore, he prays for grant of anticipatory bail.

3. Learned counsel for the complainant, on the other side, submits that the offences are very serious in nature and the complainant is apprehending danger from the petitioner and that is why he filed CRWP 5578-2024 against the petitioner as well, therefore he is not entitled to concession of anticipatory bail.

4. Learned State counsel opposes the grant of anticipatory bail to the petitioner and submits that the petitioner was in possession of gun, therefore, he should not be granted concession of anticipatory bail.

5. I have heard learned counsel for the parties and perused the whole record.

6. A perusal of the FIR and the reply filed by the State show that the pistol was deposited by the petitioner with 'Paul Gun House' vide Recovery Memo

dated 15.06.2024 as a case property. This Court observes that in fact there is a property dispute and if the petitioner is ready to join the investigation as and when called for, no useful purpose would be served for arresting him.

7. List on 07.08.2024.

8. Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail till the next date of hearing to the satisfaction of the Arresting/Investigation Officer, subject to the conditions as provided under Section 438(2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required to do so."



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2. Today, the learned State counsel has, on instructions imparted to him by ASI Iqbal Singh stated that pursuant to the making of the hereinabove extracted order, the petitioners had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 19.06.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

August 07, 2024
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(KULDEEP TIWARI)
JUDGE

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