

214-2

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

CRM-M-43777-2023 (O&M)

Date of decision : 04.01.2024

Surjit Singh @ Seetu

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Gagandeep Singh Simble, Advocate,
for the petitioner.

Mr. M.S. Tiwana, AAG, Punjab,
assisted by ASI Gurcharan Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.160 dated 29.05.2023, under Sections 336, 506 read with Section 34 of the Indian Penal Code, 1860; and Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Sadar Amritsar.

2. Allegations are that petitioner along with other co-accused criminally intimidated the complainant and put his life in danger by firing a gunshot.

3. This Court, on 02.09.2023, granted interim bail to petitioner and relevant part of the same reads as under:-

“Contends inter alia that co-accused with similar allegations has already been granted the concession of interim bail pending trial by this Court in CRM-M-36141-2023.

Notice of motion.

Mr. Amish Sharma, AAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

To be heard along with the aforesaid CRM-M on the date already fixed i.e. 19.09.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 02.09.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

9. Disposed off accordingly.
10. Pending application(s), if any, shall stand disposed off.

04.01.2024

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(MAHABIR SINGH SINDHU)
JUDGE

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