

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45933-2023
DATE OF DECISION: 15.01.2024

MANGAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA.

Present: Ms. Puja Chopra, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

DEEPAK GUPTA, J (ORAL)

On 14.09.2023 the following order was passed by this Court:-

*“Present: Ms. Puja Chopra, Advocate
for the petitioner.*

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.100 dated 12.06.2023 registered under Sections 307, 506, 148, 149 of the IPC & Section 25, 27 of Arms Act (Section 307, 148, 149 of the IPC were deleted and Sections 336, 34 of the IPC were added later on) registered at Police Station Makhu, District Ferozepur.

It is contended by learned counsel that FIR was lodged on the complaint of Joginder Singh, alleging that petitioner along with Gurmeet Singh, Gursewak Singh, Chhaja Wala and three unidentified persons entered the court-yard of his house at night time. Manjeet Singh and petitioner were armed with guns and two others were armed with kirpan/dang. It is also alleged that Manjeet Singh fired shot from his gun in the air.

Learned counsel drawn attention towards DDR Report (Annexure P-2) as per which Manjeet Singh, Gurmeet Singh and Gursewak Singh, though specifically named in the FIR but have been found to be innocent in the enquiry. Not only this Section 307, 148, 149 of the IPC were deleted.

Learned counsel further contends that civil litigation is going on between the parties as is evident from the order dated 26.05.2023 (Annexure P-3) passed by learned Civil Judge (Junior Division), Zira.

Notice of motion.

Mr. Parneet Singh Pandher, AAG, Punjab accepts notice on behalf of respondent-State.

Adjourned to 16.11.2023.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation 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.”

On 16.11.2023, it was informed by learned State Counsel that though petitioner has joined the investigation but was required for further investigation as weapon had not been got recovered from him. Learned counsel for the petitioner informed that no weapon was used and petitioner was falsely implicated.

Today, on instructions from ASI Gurmeet Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 14.09.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 14.09.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

15.01.2024

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(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No