



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.47507 of 2024
Date of decision: 9th December, 2024

Gurbhej Singh
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.S. Dadwal, Advocate for the petitioner.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.
Mr. Vicky Sharma, Advocate for
Mr. K.S. Dhaliwal, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 482 BNSS in case FIR No.0077 dated 01.04.2024 under Sections 302, 120-B of the IPC and Sections 25, 27 of the Arms Act, 1959 registered at Police Station Jandiala, District Amritsar Rural.
2. On the last date of hearing, i.e. 23.09.2024, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner inter alia contends that a perusal of the FIR annexed as Annexure P-1 reveals that it is a case based on eye witness account; the two assailants, who were named, were allegedly riding a motorcycle, gunned down the deceased. Learned counsel

submits that no suspicion had been raised qua the presence of the petitioner at the time of the alleged occurrence, however, strangely after two and a half months, the petitioner was nominated as an accused in the present case and that too only on the allegations that the complainant suspected his involvement in the murder in question.

On a pointed query as to whether the petitioner has any previous criminal antecedents, learned counsel has categorically replied in the negative.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 23.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Tejinder Singh, 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 the circumstances, the petition is allowed and the interim order dated 23.09.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

December 9, 2024
rps

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