

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

222

CRM-M-51279-2023

Date of decision: 06.02.2024

Ajaypal Singh @ Ajay Pehalwan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ranjodh Singh Sidhu, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.92 dated 16.08.2023 under Sections 323, 336, 148, 149, 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Sultanwind, District Amritsar.

2. On 06.12.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner has argued that as per prosecution version, petitioner along with others had fired shots in the air aiming at the house of complainant while hurling abuses and issuing threats. It is alleged that a gun shot after hitting the wall, hit the left arm of the husband of complainant, namely Dalbir Singh. However, no MLR depicting the said injury is available. The police has not recovered any empty cartridge or other incriminating material suggesting the use of firearm from the spot, whereas one referred to in the FIR was admittedly handed over by the complainant. It is further

submitted that all the offences alleged, except for the one under Arms Act, are bailable. Learned counsel for the petitioner submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 06.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Savinder 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 view of the above, the petition is allowed and interim order dated 06.12.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

06.02.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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