

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215-7

CRM-M-54065-2023

Date of decision: 09.01.2024

Gagan @ Gursewak Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gobind Singh Randhawa, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, 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.093 dated 21.05.2023 under Sections 307, 353, 186, 332, 342, 148, 149, 506 of the IPC, registered at Police Station Beas, Police District Amritsar (Rural) and District Amritsar.

2. On 30.10.2023, 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:-

“Counsel for the petitioner urges that although petitioner is alleged to be a member of an unlawful assembly but no role has been ascribed to him. He submits that the main accused is Kulwant Singh @ Katto, who has been granted interim protection by this Court and the petitioner is prepared to join the investigation.”

3. Learned counsel for the petitioner submits that in compliance of order dated 30.10.2023, the petitioner has joined

investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Balwinder Singh with Constable Jagpreet 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 30.10.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.01.2024

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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