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

212

CRM-M-56328-2024

Date of Decision : **December 05, 2024**

Shamsher Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. K.S.Brar, Advocate
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On 13.11.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of anticipatory bail, in case FIR No.58 dated 02.04.2024, under Sections 336 and 506 of the IPC, and, Sections 25 and 27 of the Arms Act (Sections 386, 387, 120-B of the IPC, and, Section 25(6) of the Arms Act added subsequently), registered at P.S. Division No.06, District Jalandhar.

2. The learned counsel for the petitioner inter alia submits that, the petitioner's co-accused Anupreet Singh @ Anu, against whom there are allegations of participating in commission of the present offence(s), has already been granted the concession of anticipatory bail by this Court, vide order

dated 22.08.2024, drawn upon CRM-M-27827-2024. Therefore, since the only allegation against the petitioner is that, he had supplied the pistol allegedly used by his co-accused in commission of the present offence(s), hence he deserves the relief of anticipatory bail.

3. The learned counsel for the petitioner also submits that, the entire case against the petitioner is based upon the disclosure statement of his co-accused, probative value where of inherently frail.

4. Notice of motion for 05.12.2024.

5. Mr. Sahil R. Bakshi, A.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 13.11.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

December 05, 2024

dharamvir

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned. :

Whether Reportable. :

Yes/No

Yes/No