

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-65530 of 2023
Date of Decision: February 08, 2024

Avtar Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARPREET SINGH BRAR

Present : Mr. J.K. Singla, Advocate
for the petitioner

Mr. Subhash Godara, Addl. A.G. Punjab

Harpreet Singh Brar, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 345 dated 24.12.2023 registered under Sections 307, 353, 186, 427 IPC and Sections 25, 27 of the Arms Act, 1959 at Police Station Civil Lines, Bathinda District Bathinda

2. On 01.01.2024, the following order was passed :-

“Apprehending his arrest in FIR No. 345 dated 24.12.2023 registered for offences punishable under Sections 307, 353, 186, 427 IPC and Sections 25 & 27 of the Arms Act, 1959 at Police Station Civil Lines, Bathinda District Bathinda; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that petitioner has been falsely implicated in the case, the vehicle in question i.e. Car No. PB-03BH-3125 does not belong to the petitioner and no specific role has been attributed to the petitioner.

Notice of motion.

On asking of the Court, Mr. Kirat Singh Sidhu, DAG Punjab appears and accepts notice on behalf of the respondent-State.

Adjourned to 08.02.2024.

The petitioner is directed to appear before the Investigating Officer on 05.01.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C. ”

3. Learned State counsel, on instructions from ASI Rajpal Singh, states that pursuant to order dated 01.01.2024, the petitioner has joined the investigation and is no more required for custodial interrogation.

4. In view of the statement of learned State counsel, order dated 01.01.2024 is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.

5. Petition stands disposed of.

6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

February 08, 2024

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No