

**CRM-M-54308-2024****-1-****IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****225 (PROCEEDINGS THROUGH HYBRID MODE)**

CRM-M-54308-2024

Date of decision: January 22nd, 2025

Gurpreet Singh and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent: Mr. Sandeep Wadhawan, Advocate
for the petitioners (through V.C).

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

Mr. Veneet Sharma, Advocate
for the complainant.**MANJARI NEHRU KAUL, J. (ORAL)**

Petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.202 dated 14.10.2022 under Sections 307, 148, 149, 302 of the Indian Penal Code and Section 25, 27 of the Arms Act, registered at Police Station Lopoke, District Amritsar.

2. Vide order dated 29.10.2024, the petitioners had been directed to appear before the trial Court and were directed to be admitted on interim bail on their furnishing bail bonds to the satisfaction of the trial Court. The relevant part of the said order reads as under:-

“Learned counsel for the petitioners, inter alia, contends that although petitioners were named in the FIR in question, however, during investigation, since no grain of

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truth was found in the allegations levelled against the petitioners, they were not challaned and were placed in column No.2. Later during the course of trial when PW-1 complainant/alleged eyewitness-Jaspal Singh stepped into the witness box, he simply reiterated the allegations levelled in the FIR (Annexure P-1), which had already been investigated. Resultantly, on an application being moved under Section 319 of the Cr.P.C. by the prosecution, the petitioners were summoned to face trial. In support, learned counsel has drawn the attention of this Court to Annexure P-7, which is the order summoning the petitioners as additional accused under Section 319 of the Cr.P.C.”

3. Learned counsel for the petitioners submits that in compliance of the above said order, the petitioners had appeared before the trial Court and furnished bail bonds. In support, he has placed on record a photocopy of order dated 04.11.2024 passed by learned Additional Sessions Judge, Amritsar.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioners having appeared before the trial Court.

5. In view of the above, the petition is allowed and interim order dated 29.10.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

January 22nd, 2025*Puneet***(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No