

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**
CRM-M-32479-2021
Date of decision-31.01.2022

Parminder Singh @ Kala	...Petitioner
Vs.	
State of Punjab	...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Sukhpreet Kaur Grewal, Advocate for the petitioner.
 Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in cross case registered vide DDR No.26 dated 01.05.2018 under Sections 323, 341, 307, 336, 148 and 149 Indian Penal Code, 1860 and Sections 25, 27, 54 and 59 Arms Act, 1959 in FIR No.115 dated 30.04.2018 under Sections 323, 341, 307, 336, 379-B, 427, 148 and 149 IPC and Sections 25 and 27 Arms Act, 1959 registered at Police Station Sadar Ludhiana, District Ludhiana, who apprehends his arrest at the hands of Police.

On 17.09.2021, this Court had passed the following order:-

“All the cases shown in today's cause list are to be taken up by way of physical hearing, however, advance request was circulated by learned counsel for the petitioner seeking permission to assist the Court by way of Video Conference only.

On 27.08.2021, the following order was passed:-

“Reply by way of affidavit of Deep Kamal, PPS, Assistant Commissioner of Police (South), Ludhiana has been filed by learned State counsel and the same is taken on record. Copy thereof has been supplied to the counsel opposite.

Learned counsel prays for time to seek instructions regarding the nature of

injuries suffered by injured Mandeep Singh.

On request, adjourned to 17.09.2021.”

Today, learned State counsel has argued that the injuries suffered by Mandeep Singh were caused by gunshot fired by the petitioner.

At this stage, learned counsel for the petitioner has drawn the attention of the Court to the MLR of petitioner to contend that he also suffered gunshot injuries and at his instance, the FIR No.115 was registered for the offence punishable under Sections 323, 341, 307, 336, 379-B, 427, 148 and 149 IPC and Section 25 and 27 Arms Act. According to her, the injury suffered by Mandeep Singh is on non vital part of his body and in the given background, it seems equally possible that the petitioner exercised his right of his private defence, his custodial interrogation may not be necessary as he is willing to join the investigation.

Adjourned to 28.01.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Bikramjit Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 17.09.2021 is made absolute.

31.01.2022

vanita

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :

Yes No

Whether Reportable :

Yes No