

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-4820 of 2015 (O&M)
Date of decision: 20th February, 2015

Surjit Kaur and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rishu Mahajan, Advocate,
for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioners have preferred this petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.194 dated 01.10.2014, registered at Police Station Kamboj, Amritsar, under Sections 307, 452, 427, 506, 336, 148, 149 IPC and Sections 25 and 27 of the Arms Act.

Notice of motion was issued.

Learned State counsel has appeared and contested this petition.

I have heard learned counsel for the petitioners and learned State counsel and have gone through the record.

From the record, I find that the occurrence took place on 07.09.2014 but the FIR was registered on 01.10.2014, after the delay of about 24 days. Petitioner No.1 Surjit Kaur is stated to be empty handed and only 'lalkara' has been attributed to her. Petitioners Tarsem Singh, Manjit Singh, Sandeep Singh and Ladha Singh are

stated to be armed with 'dangs' and petitioner Ladoo was armed with 'dattar'. As per FIR, none of them caused any injury. Perusal of the record shows that occurrence took place on 07.09.2014 and the complainant-injured, who is stated to have received one fire arm injury, had gone to the hospital on the next day i.e. 08.09.2014. As per record, he was medico legally examined on 16.09.2014 and the doctor found one fire arm injury on his person. The doctor gave the opinion regarding the said injury as grievous on 25.09.2014. Even in the FIR, there is nothing regarding the delay in lodging the FIR. The fire arm injury has been attributed to one unidentified person.

Keeping in view the facts and circumstances of the present case and without discussing the merits of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted. It is ordered that in the event of arrest, the petitioners be released on anticipatory bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

20th February, 2015
mamta

(INDERJIT SINGH)
JUDGE

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-2784 of 2015 (O&M)

Date of decision: 20th February, 2015

Balwinder Singh alias Binder Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

After arguing for sometime, learned counsel for the petitioners wishes to withdraw this petition with liberty to the petitioners to file fresh one after presentation of challan.

Dismissed as withdrawn with aforesaid liberty.

20th February, 2015
mamta

(INDERJIT SINGH)
JUDGE

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**Criminal Misc.No.3386 of 2015 in
Criminal Appeal No.S-478-SB of 2015**

Date of decision: 20th February, 2015

Yasin Khan

...Applicant-Appellant

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gopal Singh Nahel, Advocate,
for the applicant-appellant.

Mr. Gurinderjit Singh, DAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Custody certificate has been filed. Same is taken on record.

Prayer in the present application is for suspension of sentence of applicant-appellant Yasin Khan during the pendency of appeal.

Learned Judge, Special Court, Fatehgarh Sahib, vide judgment of conviction and order of sentence dated 24.12.2014, passed in case FIR No.118 dated 24.06.2012, held the applicant-appellant guilty for the commission of offence punishable under Section 15 of the Narcotic Drugs & Psychotropic Substances Act and sentenced him to undergo rigorous imprisonment for a period of 6 months and to pay a fine of ₹40,000/- and in default of payment of fine to further undergo rigorous imprisonment for a period of 2 months under the aforesaid Section.

Criminal Misc.No.3386 of 2015 in

Criminal Appeal No.S-478-SB of 2015

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Feeling aggrieved against the said judgment of conviction and order of sentence, the applicant-appellant filed an appeal which has been admitted by this Court vide order dated 02.02.2015.

As per custody certificate, produced by learned State counsel, the applicant-appellant has already undergone 2 months and 29 days of actual sentence.

The appeal is not likely to mature for hearing in the near future. Therefore, in the facts and circumstances, the criminal miscellaneous application is allowed and the sentence of imprisonment of applicant-appellant during the pendency of appeal shall remain suspended and he is admitted to bail subject to his furnishing personal and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Fatehgarh Sahib.

20th February, 2015
mamta

(INDERJIT SINGH)
JUDGE

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**Criminal Misc.No.38831 of 2014 in
Criminal Appeal No.S-5221-SB of 2014**

Date of decision: 20th February, 2015

Gurmukh Singh alias Romi

...Applicant-Appellant

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. A.S.Syan, Advocate,
for the applicant-appellant.

Mr. Gurinderjit Singh, DAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Prayer in the present application is for suspension of sentence of applicant-appellant during the pendency of appeal.

Learned Judge, Special Court, Patiala, vide judgment of conviction and order of sentence dated 27.10.2014, passed in case FIR No.43 dated 03.04.2011, held the applicant-appellant guilty for the commission of offence punishable under Section 18 of the Narcotic Drugs & Psychotropic Substances Act and sentenced him to undergo rigorous imprisonment for a period of 1½ years and to pay a fine of ₹10,000/- and in default of payment of fine to further undergo imprisonment for a period of 3 months under the aforesaid Section.

Feeling aggrieved against the said judgment of conviction and order of sentence, the applicant-appellant filed an appeal which has been admitted by this Court vide order dated 19.12.2014.

As per custody certificate, produced by the learned State

Criminal Misc.No.38831 of 2014 in

Criminal Appeal No.S-5221-SB of 2014

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counsel, the applicant-appellant has already undergone 2 months and 26 days of actual sentence till 03.01.2015 i.e. more than 4 months.

The appeal is not likely to mature for hearing in the near future. Therefore, in the facts and circumstances, the criminal miscellaneous application is allowed and the sentence of imprisonment of applicant-appellant during the pendency of appeal shall remain suspended and he is admitted to bail subject to his furnishing personal and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Patiala.

20th February, 2015
mamta

(INDERJIT SINGH)
JUDGE