

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

CRM-M -21575 of 2016 (O&M)

Date of decision: 07.09.2016

Varinderjit Singh @ Peeku

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Prashant Vashisth, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by HC Surjit Singh.

None for respondent No.2 despite service.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in a complaint case bearing No. 0000456/2014, dated 05.06.2014, titled as 'Baldev Singh Vs. Jagir Ram and others', registered under Sections 323, 324, 325, 326, 307, 452, 506, 148, 120-B read with Section 149 IPC, pending before Illaqa Magistrate, Phagwara, Kapurthala.

On 22.06.2016, this Court had passed the following order:-

“The petitioner seeks pre-arrest bail in complaint case No.Com/0000456/2014 dated 5.6.2014 under Sections

323/324/325/326/307/452/506/148/149/120-B IPC, titled “Baldev Singh vs. Jagir Ram and others” pending before Ilaqa Magistrate, Phagwara, District Kapurthala, wherein, he has been declared Proclaimed Offender.

The concession of anticipatory bail has been declined to the petitioner by the Additional Sessions Judge, Kapurthala vide order dated 7.6.2016 (Annexure P-5).

Learned counsel while referring to the Passport and entries made thereon by United Arab Emirates authorities (Annexure P-4), contends that the petitioner was not aware of the pending complaint as he had left the country on 10.7.2014 for UAE and returned only on 14.1.2016. He also contends that the present complaint is misuse of the judicial process as regarding the same incident, already, trial is going against him in FIR No.40 dated 24.5.2014 under Sections 323/325/148/149 IPC, Police Station Rawalpindi, District Kapurthala (Annexure P-2), wherein, he has been granted interim anticipatory bail vide order dated 31.5.2016 passed by the Additional Sessions Judge, Kapurthala.

Notice of motion for 11.7.2016.

In the meanwhile, the petitioner shall appear in the complaint case before the Trial Court, which shall admit him to interim bail subject to his furnishing bail bonds to its satisfaction.”

It is contended that in pursuance of the order dated 22.06.2016, the petitioner has appeared before the trial Court and has furnished bail/surety bonds.

The learned State counsel does not controvert the above said fact.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 22.06.2016, is made absolute.

The petition stands allowed.

07.09.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
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Whether Reportable:	Yes	No
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