

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28915 of 2016
DECIDED ON: October 20, 2016

HARDIP SINGH @ LABHA

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashok Giri, Advocate,
for the petitioners.

Mr. J.S. Sekhon, AAG, Punjab.

Mr. Amit Aggarwal, Advocate,
for the complainant.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioner-Hardip Singh @ Labha has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.87, dated 15.09.2015, under Section 302/34 IPC, Police Station Lambra, District Jalandhar City as he has been summoned by the ld. trial Court under Section 193 Cr.P.C.

2. At the time of issuance of notice of motion, following order was passed by this Court on 22.08.2016 :-

“It has been inter-alia contended by learned counsel for the petitioner that during investigation of the case petitioner has been found innocent and at the time of presentation of report under Section 173(2) Cr.P.C., his

name has been placed in Column No.2, but subsequently on the basis of an application moved under Section 319 Cr.P.C., the petitioner has been summoned to face trial along with other accused.

Learned counsel further contends that petitioner is a juvenile and is aged less than 16 years. Even otherwise the petitioner was empty handed at the time of alleged occurrence.

Notice of motion for 20.10.2016.

In the meanwhile, petitioner is directed to appear/surrender before the trial Court within 7 days on the receipt of certified copy of this Court order, who shall be released on bail at the satisfaction of trial Court and in case of his arrest at the satisfaction of the Arresting Officer.”

3. Learned State counsel on instructions from ASI Nand Lal, Police Station Lambra, District Jalandhar has submitted that the petitioner has joined the proceedings before the ld. trial court and has been released on bail.

4. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 22.08.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

October 20, 2016
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*