

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-29719 of 2015 (O&M)

Date of Decision: 18.02.2016

Iqbal Singh @ Sonu

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rajeev Sharma, Advocate for the petitioner.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C seeking the concession of pre-arrest bail to the petitioner in case F.I.R. No.46 dated 21.5.2011 under sections 323, 394, 398 I.P.C and sections 25, 27, 54, 59 of Arms Act, registered at Police Station, Mehatpur, District Jalandhar.

On 3.9.2015, while issuing notice of motion, the following order was passed by this Court:-

“It is inter alia contended that earlier the name of petitioner was kept in column No. 2 of challan and now he has been summoned by virtue of Section 319 Cr.P.C. as an additional accused.

Notice of motion for 06.11.2015.

In the meanwhile, on appearance of petitioner before the trial Court on 10.09.2015 the date already fixed, he shall be admitted to bail on furnishing bail bonds to the satisfaction of trial Court. The petitioner shall also abide by the conditions as enshrined in Section 438 (2) Cr.P.C. Till 10.09.2015, arrest of petitioner shall remain stayed.

In case, the petitioner fails to do so, the concession granted to him by this order shall automatically stand vacated.”

Learned counsel appearing for the petitioner would make a statement at the bar that the petitioner had duly appeared before the Trial Court on 10.9.2015 and was admitted to interim bail upon having furnished bail bonds to the satisfaction of Trial Court.

On the last date of hearing i.e. 6.11.2015 the complainant i.e. Amir Singh son of Kahn Singh was impleaded as party/respondent no.2. Newly added respondent no.2/complainant was directed to be served through the I.O and the matter was adjourned to today.

Office report reveals that respondent no.2 has been duly served. However, there is no representation caused on his behalf so as to oppose the prayer made in the present petition.

Under such circumstances, the present petition is allowed. The order dated 3.9.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

18.02.2016

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