

210.

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

CRM-M-35208-2016

Date of decision:15.11.2016

Gurpreet Singh

... Petitioner

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. L.S. Sidhu, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab,
for respondent No1.

Mr. K.S. Boparai, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case Criminal Complaint No.65-T of 02.12.2009/03.08.2012 titled as Charanjit Kaur Versus Gurpreet Singh and another.

Learned counsel for the petitioner states that petitioner arrived India from Italy on 08.07.2016 and thereafter, surrendered before the trial Court on 23.08.2016 along with application seeking bail. However, his application for bail was declined vide order dated 19.09.2016 passed by Additional Sessions Judge, Fatehgarh Sahib. He argued that initially FIR No.96 dated 04.11.2009 under Sections 306, 34 IPC was registered at Police Station Mulepur, District Fatehgarh Sahib and the police on conducting investigation did not find any truth in the said FIR and, therefore, the DSP,

Fatehgarh Sahib had recommended cancellation of said FIR. The same was accepted by the Court and it is on the basis of private complaint filed by respondent-complainant, petitioner has been summoned to face trial. He further states that the petitioner had gone to Italy on work-visa on 17.12.2011 and came back to India on 08.07.2016. However, vide order dated 07.09.2012 passed by learned Additional Chief Judicial Magistrate, Fatehgarh Sahib, petitioner was summoned to face trial under Sections 302/306/34 IPC and under Section 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. He states that the petitioner is ready to face trial.

Heard, learned counsel for the parties.

Vide order dated 07.09.2012 passed by learned Additional Chief Judicial Magistrate, Fatehgarh Sahib, petitioner was summoned to face trial in a private complaint, though earlier in the FIR No. No.96 dated 04.11.2009 under Sections 306, 34 IPC registered at Police Station Mulepur, District Fatehgarh Sahib, he was found innocent. He is in custody since 23.08.2016 and is ready to face trial.

Accordingly, considering the fact that the petitioner has earlier been found innocent and it is only on the basis of private complaint, he has been summoned, he is admitted on regular bail subject to furnishing bail bonds and surety bonds to the satisfaction of trial Court.

Petition stands disposed of.

(HARI PAL VERMA)
JUDGE

15.11.2016
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No