

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

CRM-M-40125-2016 (O&M)
Date of decision : 22.11.2016

Harvinder Singh @ Kaka

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Mohit Sadana, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by SI Parwinder Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.72 dated 30.04.2012, registered under Sections 307, 324, 323, 341 and 148 read with Section 149 of the Indian Penal Code, at P.S. Adampur.

Contents that the instant FIR is a device to settle personal scores as the sister of the complainant, namely, Navjot Kaur, was in love affair with the petitioner, which relationship was opposed by the complainant and his family members. Learned counsel refers to Annexure P-3 and states that on the representation moved by the petitioner, the matter was inquired into by the Superintendent of Police (Detective), Jalandhar-Rural, wherein, the petitioner was found innocent. Thereafter, supplementary challan has been filed against the petitioner. All the accused who faced trial have been acquitted. After having come to know that the

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petitioner has been declared a proclaimed offender on 24.04.2014, he surrendered before the Court on 13.10.2016.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits the challan is yet to be presented against the petitioner.

Heard.

During the inquiry (Annexure P-3), affidavit of Navjot Kaur was received through e-mail in support of the assertions raised by the petitioner. All the accused who faced trial stand acquitted. The challan against the petitioner is yet to be presented. He is in custody since 13.10.2016.

Keeping in view the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

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(JITENDRA CHAUHAN)
JUDGE

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