

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

CRM-M No. 43871 of 2015 (O&M)

Date of Decision: 04.03.2016

Sukhminder Singh alias Sukhwinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sanjay Gupta, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Raghubir Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973, is for grant of anticipatory bail on behalf of the accused/petitioner-Sukhminder Singh alias Sukhwinder Singh and to issuance direction to the trial Court to release the petitioner on bail in the event of his appearance and furnishing bail bonds as he is summoned under Section 319 Cr.P.C. to face trial under Sections 323, 324, Indian Penal Code in a cross case of FIR No. 42 dated 06.04.2008, for offences punishable under Sections 452, 323, 324, 506, 34, Indian Penal Code, registered at Police Station Dasuya, District Hoshiarpur.

It was contended that the petitioner has falsely been implicated in this case. The petitioner was not in India when the FIR was lodged on 06.04.2008. He even was found innocent in the investigation conducted by the police and was kept in column No.2 of the report. Subsequently, the petitioner has been summoned under Section 319

Cr.P.C. to face trial along with other co-accused for commission of offence punishable under Sections 323 and 324 IPC, which are bailable. It was also contended that the petitioner was declared proclaimed offender at his back without effecting any service upon him. Further, it was submitted that the petitioner is ready to join the court proceedings.

Learned counsel for the petitioner submits that pursuant to the order/directions dated 24.12.2015, passed by this Court, the petitioner has surrendered before the trial Court and has been granted interim bail on 04.01.2016. He further submits that the petitioner is ready to face the trial.

Learned State Counsel, assisted by ASI Raghbir Singh, is unable to refute the aforesaid factual position.

In view of the above, interim bail granted by the trial Court vide its order dated 04.01.2016, pursuant to this Court's order dated 24.12.2015, is confirmed.

Disposed of.

March 04, 2016

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**(JASWANT SINGH)
JUDGE**