

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

**CRM No.M-6035 of 2016 (O&M)
Date of decision : 24.05.2016**

Gurcharan Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Tarundeep Kumar, Advocate for
Mr. D.S. Pheruman, Advocate for the petitioner.

Mr. D.S. Virk, AAG, Punjab.

Mr. M.S. Gill, Advocate for the complainant.

...

TEJINDER SINGH DHINDSA, J.

Petitioner seeks concession of pre-arrest bail in case FIR No.151 dated 12.10.2014, under Sections 302/148/149/120-B IPC, registered at Police Station Sarhali, District Tarn Taran.

On 27.02.2016, while issuing notice of motion, the following order was passed by this Court:

"CRM No.6574 of 2016:

Application is allowed as prayed for. Statement of Salwinder Singh/complainant, PW1 is taken on record.

Application is disposed of.

Main case:

Petitioner seeks concession of pre-arrest bail in case FIR No.151 dated 12.10.2014, under Sections 302/148/149/120-B IPC, registered at Police Station Sarhali, District Tarn Taran.

Counsel would submit that during the course of investigation, the petitioner was found innocent and his name was placed in column No.2 of the final challan submitted under Section 173 Cr.P.C. Thereafter, on account of an application filed by the prosecution under Section 319 Cr.P.C. and the

same having been allowed in terms of order dated 12.10.2015 passed by the learned Additional Sessions Judge, Tarn Taran, the petitioner has been summoned to face trial as an additional accused.

Counsel would contend that even as per version of Salwinder Singh/complainant and father of deceased Gurjant Singh, injuries have been attributed to a number of persons/co-accused and even though the present petitioner is stated to have been armed with a datar, no specific injury on the person of deceased Gurjant Singh has been attributed. It is further submitted that the petitioner otherwise is ready and willing to join trial proceedings.

Notice of motion, returnable on 24.05.2016.

In the meanwhile, it is directed that in case the petitioner appears before the trial Court on the date already fixed i.e. on 04.03.2016, he would be entitled to interim bail subject to satisfaction of the trial Court.”

Learned State counsel upon instructions from SI Kabal Singh informs the Court that the petitioner has appeared before the trial Court on 04.03.2016 and was admitted to interim bail upon furnishing requisite bail bonds.

In view of the observations made by this Court while issuing notice of motion and coupled with the fact that the petitioner has joined trial proceedings, prayer made in the present petition is accepted.

Petition is allowed. Order dated 27.02.2016 passed by this Court is made absolute.

Disposed of.

24.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**