

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6843 of 2016 (O&M)

Date of Decision: 23.05.2016

Darbara Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Vivek Goel, Advocate for the petitioner.

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

TEJINDER SINGH DHINDSA.J

The present petition has been filed under Section 438 Cr.P.C seeking concession of anticipatory bail to the petitioner in case F.I.R. No.44 dated 17.2.2011 under sections 419, 420, 465, 466, 467, 468, 471, 474, 120-B, 201 I.P.C, registered at Police Station, Kotwali, Faridkot, District Faridkot.

On 26.2.2016, while issuing notice of motion, the following order was passed by this Court:-

“Counsel would, inter alia, contend that the observations contained in the order dated 16.02.2016 passed by the learned Additional Sessions Judge, Faridkot while declining concession of pre-arrest bail to the effect that the present petitioner had signed bail bonds of Harmanjit Singh who was actually Arun Kumar and identified him as such are perverse.

It is contended that the petitioner had actually identified surety Gurbachan Singh who was a genuine person and there was no occasion for identification of the accused.

Notice of motion, returnable for 21.03.2016.

To be listed along with CRM No. M-2925 of 2016.

In the meanwhile, it is directed that in case the petitioner duly appears before the trial Court on the date

CRM No. M-6843 of 2016 (O&M) -2-

already fixed i.e.04.03.2016, he would be entitled to ad interim protection as regards arrest subject to the satisfaction of the trial Court.”

It has gone uncontroverted that the petitioner has duly appeared before the Trial Court on 4.3.2016 and has been admitted to interim bail on furnishing requisite bail bonds.

The petitioner having joined trial proceedings, prayer made in the present petition is accepted. Present petition is, accordingly, allowed. Order dated 26.2.2016, passed by this Court, is made absolute.

(TEJINDER SINGH DHINDSA)
JUDGE

23.05.2016
lucky