

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

Date of decision:21.03.2016

Harmeet Singh

.....Petitioner

v.

State of Punjab and another

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Ms.Gurnam Kaur Turka,Advocate for the petitioner

Mr.Kirat Singh Sidhu,DAG Punjab
assisted by ASI Kewal Singh

Jaswant Singh,J.(Oral)

Prayer is for grant of anticipatory bail in criminal complaint no.4 dated 2.2.2010 under Sections 324, 325, 326, 341, 447, 148, 149, 217, 218 IPC titled as Karnail Singh v Pritam Singh and others pending in the Court of SDJM,Dera Bassi, Distt.SAS Nagar,Mohali.

For the occurrence on 18.11.2009 an FIR was lodged by Dev Singh one of the co-accused in the aforesaid complaint. A cross version was also filed in the said FIR by the present complainant party. In the said cross version the present petitioner was found innocent and not challaned. Subsequently,aforesaid complaint was filed by nominating the persons found innocent in the cross version case.

It is contended that in the cross version case co-accused have since been acquitted vide judgment dated 7.1.2016(P-2)wherein the injury no.1 attributed to present accused in the present case is held to be self-inflicted injury. It is further contended that there was some

confusion regarding identity of the petitioner as in the FIR, petitioner has been named as Harmeet Singh and in complaint case as Gurmeet Singh. Therefore, summons in the present complaint could not be served upon the petitioner. On correction of the name of the petitioner, prayer for pre-arrest bail has been declined on the ground of delay in service of summons, which cannot be attributed to the petitioner.

Vide order dated 2.3.2016, notice of motion was issued for today and it was directed that in the event of petitioner surrendering before the trial court within 10 days, he shall be released on interim bail by the trial court to its satisfaction.

At the time of hearing today, learned counsel for the petitioner states that pursuant to the order dated 2.3.2016, petitioner surrendered before the trial Court on 5.3.2016 and was released on interim bail.

The said factual position is not disputed by the learned State counsel.

In view of the above, interim bail granted by the trial court pursuant to the order dated 2.3.2016 passed by this Court, is made absolute.

Disposed of.

21.03.2016
joshi

(Jaswant Singh)
Judge