

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

**CRM-M-20017 of 2017
Date of decision: 09.10.2017.**

SURINDER SALUJA

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

Present: Mr. A.P.S. Bhinder, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Raman Chawla, Advocate
for the complainant.

SUDIP AHLUWALIA, J.(Oral)

In this petition, the petitioner, was ordered to be summoned as co-accused to face the trial of case arising out FIR No.183 dated 29.11.2014 by allowing of application under Section 319 Cr.P.C, seeks his release of anticipatory bail. He was granted interim bail by a co-ordinate Bench of this Court on 31.05.2017.

He was originally named in the FIR but was not named as accused in the challan submitted after investigation. However, during the course of the trial the complainant PW-1 gave statements in terms of original allegation of FIR on account of which under Section 319 Cr.P.C was allowed.

Learned Counsel appearing on behalf of the complainant has however, opposed the application by submitting that four other criminal cases are pending against the present petitioner.

Relying upon the decision of the Supreme Court in Gurbax Singh versus State of Punjab and others 1980 AIR, SC 1632, as well as Vikas versus State of Rajasthan 2013 (RCR) (Criminal) 948, a Coordinate Bench of this Court in CRM-M-13285-2015 titled Bajinder Singh and another versus State of Punjab had granted the benefit of anticipatory bail to accused persons summoned to face trial under Section 319 Cr.P.C., since admittedly they are not required for the purpose of investigation and their presence can be secured by issuance of process.

The present case is also covered by the aforesaid decision. Consequently, the interim bail granted to the petitioner earlier is confirmed.

Disposed off.

(SUDIP AHLUWALIA)
JUDGE

October 09, 2017
jyoti-IV/p.sharma