

Criminal Misc. No. M- 35790 of 2017 (O&M)

Date of decision : December 19, 2017

Sukhcharan Singh @ Sukhpreet Singh

.....Petitioner

Versus

The State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. A.K. Walia, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 67 dated 09.07.2017 under Sections 365, 376, 511, 506/34 IPC registered at Police Station Cantt., Bathinda.

It is submitted that the petitioner has been falsely implicated in this case merely because of he being the nephew of the co-accused Rohi Singh. It is contended that there is an unexplained delay of two days in lodging of the FIR. No offence punishable under Sections 365, 376, 511, 506/34 IPC is made out against the present petitioner. Moreover, the petitioner has joined investigation pursuant to interim order passed by this Court. The petitioner undertakes to face the proceedings and not to abuse the concession of anticipatory bail, if confirmed. It is, thus, prayed that this petition be allowed.

Learned counsel for the State on 02.11.2017 had informed that the petitioner is involved in another criminal case under Sections 302 IPC.

Learned counsel for the petitioner submits that the petitioner in the said FIR

No. 83 dated 07.04.2015 under Sections 302/34 IPC, was granted the concession of bail pending trial by this Court on 30.03.2016. The cause of death in that case was opined to be heart failure. It is further submitted that a criminal revision against framing of charge in that case filed by the petitioner is also pending before this Court.

Be that as it may, learned counsel for the State verifies that the petitioner has joined investigation.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 04.10.2017 is made absolute.

December 19, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No