

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-39773 of 2018 (O&M)

Date of Decision: 01.10.2018

Jaswant Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. D.N. Ganeriwala, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. A.S. Sekhon, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

Criminal Misc. No.34757 of 2018

The application is allowed. Documents Annexures R-1 and R-2 are taken on record.

Criminal Misc. No.M-39773 of 2018:

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.45 dated 20.03.2017 under Sections 307/120-B IPC and Section 302 IPC (added later on) registered at Police Station City Faridkot.

Learned counsel for the petitioner has argued that the complainant Iqbal Singh while appearing as PW-2 has improved his version and named the petitioner as an accused. In the initial version, which was recorded in the FIR at the behest of the complainant, he had stated that the injuries were caused to the deceased by an unidentified person.

On the other hand, learned counsel for the complainant has argued that the version of the complainant has not rightly been appreciated by the police. Rather, the motorcycle has been recovered from the house of Gurmail Singh, the main accused.

Having heard learned counsel for the parties and considering the fact that in the initial version of the complainant, the name of the petitioner does not figure and during the course of investigation, the police has found him innocent and thus, involvement of the petitioner is yet to be established during the course of trial.

Therefore, in case the petitioner appears before the trial Court, as he has been summoned under Section 319 CrPC, he shall be admitted on bail, however, subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

The present petition is disposed of.

October 01, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No