

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-41975 of 2017(O&M)
Date of Decision: 22.01.2018

Baljit Singh & another

--Petitioners

Versus

State of Punjab

--Respondent

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

Present:- Mr. P.S. Jammu, Advocate for the petitioners.

Mr. S.S. Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioners in case F.I.R. No.71 dated 26.4.2017 under sections 302 I.P.C and sections 27, 54, 59 of Arms Act, registered at Police Station, Nehianwala, District Bathinda.

FIR had been registered at the instance of Gurwinder Singh @ Harjit in relation to an alleged occurrence that took place on 26.4.2017. Deceased in the present case is Satpal @ Sattu, who suffered a solitary fire arm injury and succumbed to the same. Complainant is stated to be the eye witness to the occurrence and the gun shot was specifically attributed to Sukhdeep Singh.

It has gone uncontroverted that after completion of investigation only Sukhdeep Singh was nominated as an accused and was facing trial.

The present petitioners were found to be innocent and thereafter have been summoned to face trial as additional accused on

account of an application moved by the prosecution under Section 319 Cr.P.C having been allowed.

While issuing notice of motion in the instant petition, the following order was passed by this Court on 8.11.2017:-

“Heard.

Learned counsel for the petitioners submits that petitioners were found innocent during investigation and were not challaned. They have been ordered to be summoned on the application of prosecution under Section 319 Cr.P.C. Custodial interrogation of the petitioners is not required. They are ready to surrender before the trial Court to face the trial.

Notice of motion for 22.01.2018.

Petitioners are directed to surrender before the trial Court/Duty Magistrate, within two weeks and on their appearance, they shall be released on interim bail, till the next date, on their furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Duty Magistrate.”

Counsel for the petitioners has furnished during the course of hearing today a certified copy of order dated 15.11.2017, passed by the learned Sessions Judge, Bathinda and a perusal of the same would reveal that the present petitioners duly surrendered in the court and were released on interim bail on their furnishing bail bonds in a sum of Rs.1,50,000/- each with one surety in the like amount. Copy of the order dated 15.11.2017 is taken on record as Mark-A.

The petitioners herein having joined trial proceedings in pursuance to having been summoned as additional accused, the present petition is allowed. The order dated 8.11.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

22.01.2018

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No