

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

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CRM-M-6469-2018

Date of decision: 16.02.2018

Kulwinder Singh and others

...PETITIONERS

VS.

State of Punjab

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ashish Gupta, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court for grant of bail on an application under Section 319 Cr. P.C. having been filed by the prosecution, which was allowed by the learned additional Sessions Judge, Moga, vide order dated 19.12.2017 (Annexure P-3).

A perusal of the said order and the FIR would indicate that the presence of the petitioners has been alleged to be at the spot armed with weapons and having trespassing into the land, which was asserted to be in possession of the deceased Chanan Singh and other family members. The fatal blow is attributed to Talwinder Singh and except for the petitioners having been stated to be armed with weapons and being a part of the unlawful assembly apart from an extortion by Kulwinder Singh, no other active role has been attributed with regard to giving injuries to any of the witnesses or the deceased. It is the stand of the counsel for the petitioners that keeping in view the above circumstances, the petitioners, who have

been summoned, would be joining the proceedings before the trial Court.

Notice of motion.

On the asking of the Court, Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab, accepts notice on behalf of the State. Mr. Sant Pal Singh Sidhu, Advocate, has put in appearance on behalf of the complainant.

Having considered the submissions made by the counsel for the parties and keeping in view the allegations in the FIR as also the order summoning the petitioners as additional accused, the plea of the counsel for the petitioners is accepted.

Let the petitioners appear before the trial Court on 06.03.2018 and move an application for grant of regular bail.

If such an application is made, the same shall be accepted by the Court and the petitioners shall be admitted to bail to its satisfaction.

Petition stands disposed of accordingly.

February 16, 2018
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

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