

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

207

Date of Decision : 08.02.2019

1) CRM-M-5409-2019

Ricky @ Rinki

..... Petitioner

Versus

State of Punjab

..... Respondent

2) CRM-M-27801-2018 (O&M)

Ricky @ Rinki

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Yogesh Goel, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, D.A.G., Punjab.

AJAY TEWARI, J. (ORAL)

The petition bearing CRM-M No.5409 of 2019 has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.127 dated 14.08.2012 registered under Sections 302, 506, 148, 149 IPC read with Section 25 of the Arms Act at Police Station Daba, District Ludhiana.

The petition bearing CRM-M No.27801 of 2018 has been filed under Section 482 Cr.P.C. for quashing of FIR No.127 dated 14.08.2012

registered under Sections 302, 506, 148, 149 IPC read with Section 25 of the Arms Act at Police Station Daba, District Ludhiana.

Counsel for the petitioner states that in this case actually no purpose would be served by holding the trial because the role of the petitioner is identical to the role of the acquitted accused.

Learned Deputy Advocate General on instructions from ASI Sukhwinder Singh has however countered by stating that this would amount to prejudging the whole issue and cannot be permitted.

I find weight in the argument of the learned Deputy Advocate General. Consequently, the prayer for quashing the FIR against the petitioner is rejected and the petition bearing CRM-M No.27801 of 2018 stands dismissed. However, it cannot be denied that the petitioner is sought to be tried for a murder which was taken place about 7 years ago. In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Consequently, the petition bearing CRM-M No.5409 of 2019 is allowed. The petitioner is directed to appear before the trial Court to face his trial who shall release him on anticipatory bail to its satisfaction.

Since the main cases have been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

February 08, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No