

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

**CRM-M No. 31342 of 2018
Date of Decision:-04.09.2019**

Saraj Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Mr. C.S. Bakshi, Advocate
for the complainant.

MANOJ BAJAJ J.(Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a Criminal Complaint case No.RBT No.23 dated 10.5.2017 (CIS No.4/2015) titled as “Balwinder Singh vs. Lal Singh and others” pending in the Court of Judicial Magistrate 1st Class, Zira, District Ferozepur, under Sections 302, 506, 120-B, 34 IPC. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.11.2018 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the

petitioner. The said order reads as under:-

“It has been submitted that co-petitioners namely, Lal Singh, Rashpal Singh and Gurmukh Singh have already been joined investigation in pursuance to the different orders passed by this court and the present petitioner is also willing to join proceedings. He has been summoned in a complaint case under Sections 302, 506, 120-B and 34 IPC.

Learned State counsel submitted that he was a driver of the Scorpio car.

Keeping in view the facts and circumstances of the case, the petitioner is directed to surrender before the learned trial court within seven days from the date of receipt of certified copy of this order and on doing so, he shall be released on interim bail by that court to its satisfaction, subject to the conditions, if any, imposed by that court.

Learned counsel for the complainant submitted that original record of the investigation which was conducted at the initial stage is still in the possession of the police and that may be produced before this court. Be produced before this court on 18.12.2018.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the learned trial Court on 27.11.2018 and has furnished requisite bonds to the satisfaction of the trial Court. Copy of the order dated 27.11.2018 passed by the trial Court has been placed on record.

Learned State counsel who is assisted by HC Saroop Singh does not dispute this fact that the petitioner submitted himself before the learned trial Court on 27.11.2018 and has furnished requisite bonds.

Learned counsel on instructions from HC Saroop Singh further states that

the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the petitioner is allowed to remain on bail on the same bail bonds and surety, furnished by him before the trial Court on 27.11.2018.

The petition stands allowed.

September 04, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No