

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23269-2019

Date of decision: 30.05.2019

Balbir Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. G.K. Mann, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in complaint case No.12 of 2018 dated 07.02.2018 titled as Gurmej Singh Vs. Balbir Singh and others, filed under Sections 302, 148, 149 IPC, at Police Station Lopoke.

While granting interim bail to the petitioner, following order was passed by this Court on 21.05.2019: -

“Counsel for the petitioner has relied upon the orders dated 29.03.2019 passed in CRM-M No.13543 of 2019 and dated 03.05.2019 passed in CRM-M No.19980 of 2019, in which the following observations was made by this Court while granting the concession of anticipatory bail:-

“Learned counsel for the petitioner submits that initially,

the complainant got registered an FIR regarding blind murder of his son Sukhchain Singh, on 23.07.217, with the allegations that deceased was having illicit relations with the petitioner and co-accused have confessed this fact in the presence of Jagroop Kaur, wife of deceased Sukhchain Singh and later on, the police submitted the cancellation report. It is further submitted that thereafter, the complainant had filed the present complaint, in which the trial Court has passed the summoning order. Learned counsel further submits that during the investigation, the petitioner was initially found innocent by the police and he is ready to surrender before the trial Court and face the trial.

Learned counsel for the petitioner has further submitted that co-accused of the petitioner Kashmir Singh has already been granted the concession of anticipatory bail by the Addl. Sessions Judge, Amritsar with a direction to the trial Court to grant him bail, however, bail application of the petitioner was dismissed.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position.

Considering the submissions made by learned counsel for the petitioner, this petition is disposed of and the petitioner is directed to appear before the trial Court within a period of 15 days from today and the trial Court is also

directed to release him on bail subject to his furnishing bail/surety bonds or any other condition(s), as may be imposed by the trial Court.”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has already appeared before the trial Court and is released on interim bail.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 21.05.2019 is made absolute.

[ARVIND SINGH SANGWAN]
JUDGE

30.05.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No