

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

CRM-M-44723-2019 (O&M)

Date of decision : 19.10.2019

Pardeep Sharma @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gopal Singh Nahel, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of pre-arrest bail in FIR No.242 dated 03.09.2018 registered under Sections 302, 34 of the Indian Penal Code and Sections 27/29 of Arms Act at Police Station City Sangrur, District Sangrur.

Learned counsel for the petitioner relies upon order passed in CRM-M-42687-2019, decided on 04.10.2019, directing the co-accused to surrender before the trial Court within a period of 10 days and furnish bail and surety bonds to the satisfaction of the trial Court.

Notice of motion.

Mr. Bhupender Beniwal, AAG, Punjab, learned counsel for the State who is present in the Court, accepts notice on behalf of the State.

Heard learned counsel for the parties.

This Court is of the opinion that since in the case of co-accused who is similarly situated person, this Court has passed order directing the

co-accused to surrender before the trial Court within a period of 10 days and furnish bail and surety bonds, therefore, this petition can also be disposed of at this stage.

Petitioner after investigation was found innocent by the Investigating Agency and, thereafter he has been summoned by the trial Court in exercise of powers under Section 193 Cr.P.C. Investigations are complete. Hence, at this stage, custodial interrogation of the petitioner is not required. Petitioner being accused is to face trial and it is the trial Court which would ultimately adjudicate the question as to whether the petitioner is guilty or not. Once, the investigations are complete, this Court does not find any reasons to send the petitioner to Investigating Agency for custodial interrogation.

Keeping in view the aforesaid facts, the present petition is disposed of by directing the petitioner to surrender before the trial Court within a period of 10 days from today and furnish bail bonds and surety bonds to the satisfaction of the trial Court.

Learned trial Court, on being satisfied with the bail bonds and surety bonds, shall release the petitioner on bail.

19.10.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No