

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.No.14583 of 2020
Date of Decision: September 18, 2020

Vijay Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.H.P.S.Sidhu, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

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 case FIR No.15 dated 26.03.2019, under Sections 302, 34 (120-B, 506, 148 and 149 IPC added later on) and Sections 25 and 27 Arms Act, registered at Police Station, Verowal, District Tarn Taran. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 10.06.2020, whereby while issuing notice of motion to the respondent-State, arrest of the petitioner was stayed. The said order reads as under:-

“Heard through video conferencing.

Learned counsel for the petitioner contends that the petitioner, who is 21 years old, is neither named in the FIR nor

in the first supplementary statement of the complainant wherein 5 persons were duly named. He was named in the second supplementary statement. He also contends that the similarly situated co-accused Gursewak Singh and Major Singh have been granted ad interim anticipatory bail in CRM-9979-2020 and CRM-M-13915- 2020 (Annexures P-8 and P-9) by the coordinate Benches of this Court which are now listed on 16.07.2020.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab accepts notice on behalf of the respondent and contends that the petitioner is alleged to have fired shots which hit the deceased which is disputed by the learned counsel for the petitioner.

List along with CRM-9979-2020 and CRM-M-13915-2020 on 16.07.2020.

In the meantime, arrest of the petitioner shall remain stayed.”

Learned counsel for the petitioner contends that the case of petitioner-Vijay Singh is at par with the other co-accused, namely, Charanjit Kaur, Gursewak Singh son of Kuldeep Singh, Ravneet Kaur, Gursewak Singh son of Kulwant Singh and Major Singh. He submits that all these accused were also introduced as an accused subsequently, who have been allowed the concession of anticipatory bail. According to him, the petitioner is also ready and willing to join the investigation.

Learned State counsel, on instructions from ASI Avtar Singh, does not dispute the above stand of the learned counsel for the petitioner and submits that the case of the petitioner is at par with the above-mentioned co-accused.

Considering above, the petition is allowed and it is ordered that

in the event of arrest, the petitioner shall be released on anticipatory bail on

his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

September 18, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No