

201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-17579-2019
Date of Decision: 31.01.2020

Labh Singh

... Petitioner

vs.

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Ms. Jasneet Mehra, Advocate for
Mr. Riffi Birla, Advocate, for the petitioner.

Mr. Rajesh Bhardwaj, Sr. Deputy Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

On 13.08.2019, the following order was passed:-

“It is the case of the petitioner that the petitioner has been wrongly involved in this case. Otherwise also, present FIR has been concocted after delay of three days and after due deliberations. Still further, it is the case of the petitioner that initially the case was registered under Section 307 IPC; alongwith other Sections of IPC. But subsequently, Section 302 IPC has been added in the case due to death of the injured, which happened after about three months of the incident. However, the ingredients of the offence under Section 302 IPC are not disclosed in the case. Still further, even as per the case of the complainant, the petitioner is not alleged to have caused any injury to the deceased, nor any injury to any other person; inviting either Sections 307 or 302 IPC. The only attribution against the petitioner is regarding kick blows to the complainant and one Jagjit Singh. The petitioner is alleged to be empty handed, therefore, no recovery is to be effected from him. Still further, it is a case of version and the cross-version, therefore, the veracity of allegation is to be determined during the trial only.

Notice of motion for 14.11.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

It has been stated by learned counsel appearing for the petitioner that petitioner has joined the investigation in pursuance of interim directions issued by this Court. It has been further stated that the petitioner was not armed with any weapon and no specific injury has been attributed to him and furthermore, death of injured had occurred after more than three months from the date of occurrence.

Learned State counsel has not disputed the factual position.

In view of the above, order dated 13.08.2019, vide which the petitioner was granted interim bail, is made absolute.

Disposed of.

(VIVEK PURI)
JUDGE

31.01.2020
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No