

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

125

CRM-M-43620-2020(O&M)

Date of Decision:23.12.2020

Sunil Kumar @ Sunil Dutt

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Sanjiv Gupta, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.128 dated 20.08.2020 under Sections 302, 307, 447, 511, 148, 149, 120-B IPC and Sections 25, 27 of the Arms Act, registered at Police Station Bahaw-Wala, District Fazilka.

Learned counsel for the petitioner submits that it is because of some civil dispute, petitioner has been named as an accused in the case. Moreover, the allegation of fire-shot, which resulted into the death of Parmod, is attributed to co-accused Rajinder Kumar, who happens to be brother of the present petitioner. He further submits that in the late evening, he could lay his hands to the SIT report dated 18.12.2020, whereby the petitioner has been found innocent by the SIT.

Notice of motion.

At this stage, Mr. Amit Mehta, Sr. D.A.G., Punjab, has put in appearance and accepts notice on behalf of the respondent-State and on instructions from ASI Davinder Kumar, submits that the SIT has found the petitioner innocent and presently the petitioner is not required in the case.

Having considered the apprehension shown by the petitioner and statement of the learned State Counsel, wherein SIT constituted in the case has found the petitioner innocent, the present petition is disposed of, at this stage.

However, in case, the petitioner is required in the case, in any manner, a clear 07 days' notice be given to him and the petitioner can avail the remedy as available to him under the law.

December 23, 2020
Seema

(Hari Pal Verma)
Judge

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No