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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6276-2020

Date of decision-27.07.2021

AMANDEEP @ AMNA

...Petitioner

Vs.

STATE OF PUNJAB & OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohit Sadana, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. 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.14 dated 07.02.2019 under Sections 302, 120-B & 34 of Indian Penal Code, 1860, registered at Police Station Moonak, District Sangrur, who apprehended his arrest pursuant to his summoning under Section 319 Cr.P.C. as additional accused by trial court.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 13.02.2020, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that complainant Amrik Singh received information regarding the death of his brother Jagtar Singh, whose body was lying at a place belonging to one

Daulat Singh and upon his statement, FIR No.14 dated 07.02.2019, under Sections 302, 120-B read with Section 34 IPC, registered at Police Station, Moonak, District Sangrur was registered, wherein the petitioner was named as a person with whom the victim was last seen. Learned counsel contends that the supplementary statement of complainant exonerated the petitioner and after completion of investigation, he was declared innocent. He submits that during trial, the statement of Amrik Singh was recorded, whereupon the petitioner has been summoned under Section 319 Cr.P.C. as an additional accused. He contends that there is every apprehension that if the petitioner appears before the Court, he would be taken into custody.

Notice of motion for 24.04.2020.

Let the petitioner appear before the trial Court on or before the date fixed, i.e., 02.03.2020 and upon his appearance, he shall be admitted to interim regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court.”

Learned counsel for the petitioner states that in deference to the said order, the petitioner appeared before the Trial Court, who has been admitted on regular bail vide order dated 02.03.2020. A copy of the order dated 02.03.2020 has been produced.

The above position is not disputed by the learned State counsel, who is assisted by ASI Pritpal Singh.

Considering the above, the petition is allowed and it is ordered that the petitioner shall remain on regular bail on the basis of same bail bonds/surety bonds furnished by him before the trial Court on 02.03.2020.

(MANOJ BAJAJ)
JUDGE

27.07.2021

Vipin kumar

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