

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

CRM-M-5466-2020
Date of decision: 08.09.2021

Lal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. D. S. Malwai, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition, filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No. 316 dated 31.10.2015, under Sections 409 and 120-B of the IPC, registered at Police Station City Barnala. The first petition, bearing CRM-M-41747-2015, was dismissed on 30.03.2016.

On 17.02.2020, the following order was passed:

“Learned counsel for the petitioner submits that thereafter, when the police submitted *challan* under Section 173 Cr.P.C., the petitioner was kept in Column No. 2 and now he has been summoned under Section 319 Cr.P.C.

Learned counsel further submits that though the petitioner has filed a revision petition before the Court of Sessions challenging the summoning order passed under Section 319 Cr.P.C., however, in case he is granted bail, he intends to withdraw the said revision as he is ready to

face the trial.

Notice of motion for 01.04.2020.

In the meantime, the petitioner is directed to appear before the trial Court within a period of 15 days from today and on doing so, the trial Court shall release him on interim bail on his furnishing bail/surety bonds to its satisfaction and subject to the condition that the petitioner will withdraw the revision, filed by him, pending before the Court of Sessions challenging the summoning order passed under Section 319 Cr.P.C.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 17.02.2020, has already appeared before the trial Court and he has been released on interim bail.

Learned counsel for the petitioner further submits that the revision, filed by the petitioner challenging the summoning order passed under Section 319 Cr.P.C., also stands withdrawn before the Court of Sessions and the petitioner has not misused the concession of interim bail.

Learned counsel for the State, on instructions from ASI Balwinder Singh, has not disputed the aforesaid facts.

In view of the above and considering the fact that petitioner is on interim bail for the last more than one and a half year and he has not misused the same, the present petition is allowed and order dated 17.02.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

08.09.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*