

CRM-M-6660-2020

Date of decision: 27.07.2021

SAHIL SHARMA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Ashok Giri, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner, namely Sahil Sharma in case FIR No. 134 dated 21.06.2018, registered under Sections 323/307/341/148/149/120-B IPC, 1860 (Sections 307 IPC, 1860 added in Challan), at Police Station Rama Mandi, District Jalandhar.

On 14.02.2020, the following order was passed.

“Precisely the allegations in the present case are to the effect that co-accused of the petitioner had inflicted injuries on the person of Rajiv Sharma. The allegations against the petitioner are to the effect that he has verified with regard to the location of the injured which facilitated the co-accused to inflict injuries on his person. At the first instance, the petitioner was found innocent and his name was reflected in column No.2 of the report under Section 173 Cr.P.C. and he has been summoned under Section 319 Cr.P.C. in terms of the order dated 24.10.2019.

Notice of motion for 19.3.2020.

Meanwhile, the petitioner is directed to surrender before the learned Trial Court within a period of two weeks and on his doing so, the petitioner shall be admitted to interim bail to the satisfaction of the concerned

Court. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

It has been contended by the learned counsel for the petitioner that in pursuance of the interim directions the petitioner had surrendered before the learned trial Court on 26.02.2020, all the remaining accused are on bail, the charge has been framed under Sections 120-B/148/307/323 and 341 IPC on 15.02.2021 and his custodial interrogation is not required.

Learned State counsel on instructions from SI Ajmer Lal has not disputed the factual position and states that the petitioner has surrendered in pursuance of the interim direction issued by the Court and custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 14.02.2020, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands disposed of.

27.07.2021
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No