

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021-03-26 20:07
I attest to the accuracy and
authenticity of this document

CRM-M-13497-2021

Date of decision : 24.3.2021

Lucky

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Ritesh Pandey, Advocate
for petitioner.

Mr. P.S. Walia, AAG Punjab.

-.-

-.-

HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

This is a petition filed under Section 438 Cr.P.C. seeking directions to arresting/investigation officer to release the petitioner on bail in the event of his arrest in case FIR No. 57 dated 24.10.2017 registered under Sections 323, 324, 427, 452, 506, 148, 149 IPC at Police Station Kotli Surat Malhi, Batala, District Batala.

FIR was registered on the complaint of one Prince Pal Singh who stated that his sister Parminder Kaur got married with Sanjeev Kumar about 4 years before the date of alleged incident. His brother in law Sanjeev Kumar constantly quarrelled with his sister Parminder Kaur. In this regard, a complaint has been submitted to SHO concerned. Finally, a meeting regarding compromise between them was scheduled to be held in the house of Manjeet Singh. On 22.10.2017 at 6 pm, complainant and some other respectables were present in the house of Manjeet Singh where Sanjeev Kumar armed with country made pistol, Ashwani Kumar armed with datar, Shera armed with base ball, Lucky (petitioner) armed with a dang and 7/8 unidentified persons entered house of Manjeet Singh. Ashwani Kumar raised lalkara that complainant and others be taught a lesson for compromising the matter. Sanjeev Kumar fired a shot at brother of complainant. The pellets hit on right leg and wrist of brother of complainant. Accused persons started throwing brick bats at the house of Manjeet Singh, on which front glass of car of complainant was broken.

CRM-M-13497-2021

-2-

Learned counsel for petitioner states that soon after lodging of FIR, compromise was effected between parties. In December 2017, petitioner went to Dubai to earn his livelihood. The trial of case was conducted in the absence of petitioner. He was declared a proclaimed offender on 30.10.2019. However, in view of compromise entered into between the parties, complainant did not support prosecution version and all co accused of petitioner of were acquitted, vide judgment and order dated 13.12.2018 of learned JMIC, Batala.

Learned counsel for petitioner contends that it was never intention of petitioner to evade trial. He went abroad thinking that in view of the compromise, the case had been closed. Petitioner is ready and willing to surrender before trial Court to face trial.

Accordingly, petitioner may appear before trial Court on or before 30.4.2021. On his doing so, he shall be enlarged on bail by trial Court to its satisfaction. This shall however be subject to deposit of an amount of Rs. 15000/- in the Chief Minister Punjab COVID Relief Fund. He shall also furnish an undertaking that he would appear before the Court as and when directed.

Disposed of accordingly.

(HARINDER SINGH SIDHU)
JUDGE

24.3.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No