

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

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CRM-M-27318-2021

Date of Decision : July 16, 2021

BALAU SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Ms. Tanya Malik, Advocate
for the petitioner.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 482 of the Code of Criminal Procedure seeking direction to release the petitioner in view of the order dated 8.6.2021 (Annexure P-1) passed by this Court in CRM-M-21864-2021 and subsequent order dated 17.6.2021 (Annexure P-2) passed in CRM-16959-2021 whereby correction was made in the name of the father of the petitioner.

The learned counsel for the petitioner has submitted that vide Annexure P-1, this Court on 8.6.2021 directed that the petitioner shall be released on interim bail subject to the satisfaction of the learned trial Court/Duty Magistrate. Thereafter, vide Annexure P-2, a correction of the typographical mistake with regard to the name of the father of the petitioner was also made. Thereafter, he made a request before the learned Addl. Chief Judicial Magistrate for releasing him on interim bail in view of the directions of this Court but the learned Addl. Chief Judicial

Magistrate has declined the same on the ground that the address of the petitioner in the remand papers and that of the present petition is different.

Mr. Randhir Singh Thind, learned DAG, Punjab was called upon to explain as to why the petitioner was not released despite the order passed by the Court and was also directed to seek instructions from the police.

When the matter was taken up after one hour, Mr. Thind learned DAG, Punjab on instructions from ASI Sukhwinder Singh submitted that the position with regard to the address of the petitioner was clarified before the learned Magistrate that the address which has been given in the present petition is the correct address although there was some discrepancy with regard to the address at the time when remand was taken. Mr. Thind, learned DAG, Punjab has also stated that such a discrepancy would not become a ground for not releasing the petitioner once the order has been passed by this Court.

I have heard the learned counsels for the parties.

This Court had directed the petitioner to be released on interim bail vide order dated 8.6.2021 when the present petition was allowed subject to the satisfaction of the learned trial Court/Duty Magistrate. The order passed by the learned Addl. Chief Judicial Magistrate, Sangrur vide Annexure P-4 dated 28.6.2021 is erroneous. The address of the petitioner is not in dispute. Even as per the learned State counsel, the address stated in the petition is the correct address of the petitioner. Therefore, the learned Addl. Chief Judicial Magistrate,

Sangrur is directed to comply with the order passed by this Court on 8.6.2021 and release the petitioner on interim bail subject to his satisfaction on furnishing of adequate bail bonds and surety bonds.

In view of the above, the present petition is allowed.

July 16, 2021
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(JASGURPREET SINGH PURI)
JUDGE

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