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

CRM-M No.43581 of 2021 (O&M)

Date of decision: 14.10.2021

Malkit Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Brar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.41 dated 10.05.2018 registered under Sections 306, 34 IPC at Police Station Tarsika, District Amritsar (Rural).

Counsel for the petitioner has argued that initially the FIR was registered against the petitioner and other accused persons, however later on, the petitioner was found innocent and kept in Column No.2. It is further submitted that thereafter the trial Court recorded the statement and challan was presented against Vikramjit Singh and Gagandeep Singh whereas the petitioner – Malkit Singh and Sukhdev Singh were kept in Column No.2. It is also submitted that now the petitioner has been summoned under Section 319 Cr.P.C.

Lastly, counsel for the petitioner has submitted that he has the instructions to say that the petitioner will not challenge the summoning order by way of filing a revision and will face the trial, in accordance with law.

Counsel for the State has not disputed the factual position but opposed the submissions made by counsel for the petitioner. It is also not disputed that the petitioner was kept in Column No.2 while submitting the report under Section 173 Cr.P.C.

Accordingly, the present petition is allowed and the petitioner is directed to appearing before the trial Court/Illaq Magistrate within a period of 30 days from today and the trial Court will release the petitioner on bail subject to his furnishing bail/surety bonds.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

14.10.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No