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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-30282-2021 in/and
CRM-M-53878-2019
Date of decision: 16.09.2021

AMARJIT SINGH @ KALA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rishabh Gupta, Advocate for the applicant/petitioner.

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

VIVEK PURI, J. (ORAL)

CRM-30282-2021

The applicant is seeking to place on record the amended petition depicting the particulars with regard to the earlier conviction under Section 22 NDPS Act wherein he has been sentenced to undergo imprisonment for the period already undergone. Besides, fine of Rs. 10,000/- was also imposed in the said case.

Notice to the application.

Mr. V.G. Jauhar, Sr. DAG, Punjab, accepts notice on behalf of respondent-State and he has no objection if the same is taken on record.

CRM application is disposed of and amended petition is taken on record.

Registry to tag the same at the appropriate place.

CRM-M-53878-2019

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner namely Amarjit Singh @ Kala in case FIR No. 87 dated 22.06.2019, registered under Sections 323/458/506 and 427 IPC at Police Station

Briefly, the case has been registered on the allegations that on 19.06.2019 at about 10:30 PM Gural Kaur-complainant along with her husband was present in the house. The petitioner who is the brother-in-law of the complainant, gave entry after breaking the door and was armed with Kirpan. He had inflicted injuries by means of Kirpan on the person of Kuldeep Singh, the husband of the complainant and furthermore, he also gave beatings to the complainant with a brick. The petitioner had also caused damage to the household articles.

On 29.01.2020, the following order was passed.

“Learned State counsel, on instructions from ASI Balwinder Singh, has stated that MLR pertaining to Gural Kaur is on record who has suffered simple injuries. However, there is no MLR pertaining to her husband Kuldeep Singh. Furthermore, the petitioner and complainant are residing separately.

Adjourned to 23.3.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

It has not been disputed that in pursuance of the interim directions, the petitioner has joined the investigation, the investigation of the case is complete, the challan has been presented, charge has been framed and the case is pending trial.

Learned State counsel has also not disputed that fact that the petitioner is regularly appearing before the learned trial Court.

In view of the aforesaid submissions, the order dated 29.01.2020, 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.

16.09.2021
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(VIVEK PURI)
JUDGE

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