

204/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6433-2022(O&M)
Date of Decision:06.04.2022

Happy Singh alias Sahijdeep Singh minor ...Petitioner
through his natural mother Amarjit Kaur

Versus

State of Punjab ..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gautam Dutt, Advocate with
 Mr. M.S.Uppal, Advocate
 Mr. Tasleen Chahal, Advocate
 Mr. Farhad Kholi, Advocate, for the petitioners.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.189 dated 23.05.2020 under Sections 302, 323, 341, 148, 149 of IPC (Section 302 IPC added later on), registered at Police Station Sadar Mansa, District Mansa, who apprehends his arrests at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 15.02.2022, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that after completion of investigation in case FIR No.189 dated 23.05.2020 registered under Sections 302, 323, 341, 148 and 149 IPC (Section 302 IPC added later on) only two accused persons, namely, Joginder Singh and Rawal Singh were sent to face trial, whereas petitioner along with his mother Amarjeet Kaur and

another co-accused, namely, Mohinder Singh were declared innocent. He submits that after commencement of trial, the trial Court has exercised the jurisdiction under Section 319 Cr.P.C and summoned three persons as additional accused. He has drawn the attention of the Court to the order dated 07.02.2022 (Annexure P-11), whereby his co-accused were granted interim protection subject to their appearance before the trial Court.

Notice of motion for 06.04.2022.

Meanwhile, in case the petitioner submit himself before the trial Court on or before the date fixed i.e.15.03.2022, he shall be released on interim regular bail subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court.”

Learned counsel for the petitioner states that pursuant to the order dated 15.02.2022, the petitioner submitted himself before the trial Court on 21.02.2022, who was admitted on interim regular bail. The above position is not disputed by the learned State counsel.

Considering the above, the petition is allowed and it is ordered that the petitioner shall remain on regular bail and on the same bail bonds/surety bonds furnished by him before the trial Court on 21.02.2022.

(MANOJ BAJAJ)
JUDGE

06.04.2022

Whether speaking/reasoned Yes/No Whether Reportable Yes/No

Hemlata