

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 203 (4)

CRM-M-5716-2019

Date of decision : 07.03.2022

Palwinder Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.
 Ms.Bhavna Gupta, DAG, Punjab.
 Mr.Rajiv Malhotra, Advocate, and
 Mr.Tarun Kumar, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.96 dated 10.10.2018 registered under Sections 306 and 506 IPC at Police Station Raja Sansi, District Amritsar.

On 07.02.2019 this Court had passed the following order: -

“Prayer in this petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.96 dated 10.10.2018 registered under Sections 306/506 IPC at Police Station Raja Sansi, District Amritsar Rural.

According to the prosecution, in the morning of 10.10.2018, husband of complainant, who was commission agent by profession, committed suicide by firing upon him with Carbine of Constable Sumit Kumar, a PSO with her brother Gurjeet Singh Aujla, Member of Parliament, while said Sumit Kumar, PSO had gone to wash-room, for the reason that petitioner and 16 others were not paying their dues to her deceased husband.

Learned counsel contends that petitioner has falsely been implicated in the instant case. Co-accused of the petitioner namely Mandeepak Singh, Varun Sachdeva, Lakhbir Singh Manjinder Singh and Rashpal Singh have already been granted the concession of interim bail by this Court vide separate orders dated 25.10.2018, 27.11.2018, 14.11.2018, 14.11.2018 and 14.01.2019 respectively (Annexure P-3 (colly)). Treating the case of the petitioner on the same party, he may be granted the concession of anticipatory bail.

Notice of motion for 15.05.2019.

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

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation which has since been completed.

In view of the reasons stated in the afore quoted order and because investigation in this case is complete with which the petitioner had cooperated, the order of this Court dated 07.02.2019, granting ad interim anticipatory bail to the petitioner is directed to be made absolute.

Since the FIR in question is of the year 2018 in which, till date, the Trial Court has not even considered the framing of charges, a direction is issued to the Trial Court to dispose of the petitioner's trial within 18 months from the date next fixed before it, in accordance with law.

07.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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