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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.12729 of 2022 (O&M)

Date of decision: 09.05.2022

Vikram Khan

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Mohd. Yousaf, Advocate
with Mr. Abdul Aziz, Advocate
for the petitioner.

Mr. A.A. Pathak, Addl. A.G., Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.123 dated 14.11.2020 registered under Sections 302, 341, 483, 379, 411, 34, 120-B IPC at Police Station Sandaur, District Sangrur (now District Malerkotla).

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of one Gorakhnath, it is stated that his nephew Parminder Singh @ Happy has solemnized marriage with one Amandeep Kaur for about 02 years ago and about 02 months ago, he received a phone call from Dharminder Singh @ Ghora, Lovepreet Singh @ Lavi, Vicky and Jassa Singh and they called him outside the house and when he came out, they started hitting brick bats to him, due to which Parminder Singh @ Happy went inside the house and locked the gate. In the meantime, the aforesaid persons started pelting brick bats and later on, a compromise was effected but Dharminder Singh @ Ghora was threatening him. On 14.11.2020, when the complainant was sitting on the corner of the road, Parminder Singh @ Happy and Rajinder Singh @ Jindri were coming on a motorcycle and when they reached near the house of Dharminder Singh, then Dharminder Singh @ Ghora, Lovepreet Singh @ Lavi and 02 unknown

persons came in front of the motorcycle and in the meantime, Rajinder Singh @ Jindri fled away and the nephew of the complainant tried to turn his motorcycle then, Dharminder Singh @ Ghora fired 02 shots on him and fled away. The injured was taken to hospital where he died.

Counsel for the petitioner has argued that no specific injury is attributed to the present petitioner Vikram Khan @ Vicky and no challan was presented against him under Section 173(2) Cr.P.C. It is also submitted that the petitioner has now been summoned as an additional accused in an application filed under Section 319 Cr.P.C., which was allowed by the trial Court vide order dated 11.02.2020. Lastly, it is submitted that the petitioner will not challenge the summoning order and will also surrender before the trial Court and face the proceedings, in accordance with law.

Counsel for the State has not disputed the factual position but opposed the prayer for bail.

After hearing the counsel for the parties, considering the fact that no specific injury is attributed to the petitioner and he will not challenge the summoning order, this petition is allowed and the petitioner is directed to surrender before the trial Court within a period of 10 days and the trial Court will release him on interim bail subject to his furnishing bail/surety bonds.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

09.05.2022
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No