

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17268-2022 (O&M)

Date of decision: 27.04.2022

Teepu @ Saleem Masih

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Ghumman, 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 in FIR No.27 dated 10.03.2019 under Sections 302, 148, 149 IPC and Sections 25 & 27 of Arms Act, registered at Police Station Division No.2, District Police Commissionerate Jalandhar.

Learned counsel for the petitioner relies upon the order dated 22.04.2022 passed in CRM-M-15501-2022, vide which co-accused Renu has been granted the concession of anticipatory bail. The operative part of the order reads as under: -

“...Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Gurpreet Singh

@ Gopi, on 10.03.2019, he along with his brother Jaspreet Singh @ Jassa were going on a scooter to meet his in-laws family. In the meantime, the accused persons along with 2-3 unidentified persons encircled them. Accused Ajay and Kaku were armed with pistols, father of Ajay was armed with datar, Tipu and some other persons were empty handed. It is further stated in the FIR that Renu, sister of Ajay raised a lalkara that Jassa should not escape and thereafter, all the accused persons caused injuries. In the meantime, Bablu, wife of Ajay and Renu, sister of Ajay were raising lalkara.

Learned counsel for the petitioner has argued that the petitioner was discharged at initial stage, however, he has now been summoned under Section 319 Cr.P.C. and is ready to face the trial. He has instructions to say that the petitioner will not challenge the order dated 02.04.2022, vide which the application filed by the prosecution was allowed, summoning him as an additional accused.

Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, DAG, Punjab accepts notice on behalf of the respondent-State and has not disputed the fact that the petitioner, at one point of time, was discharged and now he has been summoned as additional accused with the aid of Section 319 Cr.P.C...”

For the sake of brevity, facts are not reproduced again.

Learned counsel for the petitioner submits that he has instructions to say that the petitioner will not challenge the order dated 02.04.2022, vide which the application filed by the prosecution was allowed, summoning him as an additional accused and will face the trial, as he was declared innocent by the police during the investigation.

Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, DAG, Punjab accepts notice on behalf of the respondent-State and has not disputed the fact that the petitioner was found innocent in the investigation and now he has been summoned as additional accused with the aid of Section 319 Cr.P.C.

After hearing learned counsel for the parties and considering the aforesaid submissions, especially that it is undertaken on behalf of the petitioner that he will not challenge the order dated 02.04.2022, summoning him as an additional accused, this petition is allowed and the petitioner is directed to surrender before the trial Court within a period of 10 days from today and he will be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

Disposed of, accordingly.

[ARVIND SINGH SANGWAN]
JUDGE

27.04.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No