

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-18771-2022
Date of decision: 04.05.2022**

Baljinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Satish Sabharwal, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 229 dated 26.09.2019, under Sections 302, 201, 34, 120-B of the IPC at Police Station Civil Lines, Bathinda, District Bathinda.

At the very outset, learned counsel for the petitioner relies upon order dated 02.05.2022 passed in CRM-M-18367-2022, vide which similarly situated co-accused Beant Kaur has been granted the concession of anticipatory bail by this Court. The operative part of the order reads as under:

“Learned counsel for the petitioner submits that the FIR was registered at the instance of Dr. Amandeep Singh Sidhu with the allegations that co-accused Malkit Kaur and Baljinder Singh took away two prematurely female twins born to Amandeep Kaur, daughter of Malkit Kaur, on the pretext of getting them a better treatment in conspiracy with their relatives and threw the babies in a canal.

Learned counsel further submits that the petitioner was not named in the FIR and now has been summoned

under Section 319 Cr.P.C. as an additional accused.

It is further submitted that co-accused Malkit Kaur has already been granted the concession of regular bail by this Court, vide order dated 07.04.2022 passed in CRM-M-30474-2021.

Learned counsel for the petitioner further submits that he has instructions to say that the petitioner will not challenge the order dated 31.03.2022, vide which she has been summoned as an additional accused under Section 319 Cr.P.C., and will face the trial.

Notice of motion.”

Learned counsel for the petitioner further submits that the present petitioner was also found innocent during investigation and challan was presented against Malkit Kaur.

Learned counsel further submits that he has instructions to say that the petitioner will not challenge the order dated 31.03.2022, vide which he has been summoned as an additional accused under Section 319 Cr.P.C., and will face the trial.

Notice of motion.

Mr. A. A. Pathak, Addl. A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State and does not dispute the factual position.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, considering the fact that the petitioner has volunteered not to challenge the summoning order and has further submitted that he will face the trial, in order to avoid any further delay in conclusion of trial, the present petition is allowed. The petitioner is directed to appear before the trial Court within a period of 15 days from

today and on doing so, the trial Court shall release the petitioner on bail, subject to his furnishing bail/surety bonds to its satisfaction.

04.05.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No