

CRR-2223-2022 (O&M)

DAVINDER SINGH ALIAS KALA

VS

STATE OF PUNJAB

Present: Mr. Gurpreet Singh Bhasin, Advocate for the petitioner.

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Learned counsel for the petitioner submits that alleged occurrence in the present case took place on 12.04.2015 at about 11.30 AM in the presence of closely related persons/eye-witnesses i.e. PW 1 and PW2 and the ruqa was recorded on 13.04.2015, i.e. on the next date of the accident by naming the petitioner as driver of the truck in question. Counsel argues that had the witnesses been present at the time of the accident, there was no reason for the said eye witnesses, who infact are closely related, to name the petitioner and get the FIR registered same day. Thus, conviction of the petitioner is based on a concocted story.

He further argues that prior to the alleged accident, petitioner was never found involved in any case of accident (who is presently aged about 50 years). Counsel also submits that though victims have already got compensation amount through the proceedings before the Motor Accidents Claims Tribunal, yet showing some compassion, petitioner is ready to deposit an amount of Rs. 50,000/- before the Court of Illaqa Magistrate, in the eventuality of granting him the bail.

Notice of motion for 08.02.2023.

Meanwhile, petitioner is ordered to be released on interim bail, on furnishing of bail/surety bonds to the satisfaction of the Area Magistrate/Duty Magistrate/Illaqa Magistrate concerned.

However, concession of interim bail would be available to the petitioner on depositing of an amount of Rs. 50,000/-/- (as undertaken by the petitioner hereabove) before the Illaqa Magistrate, concerned.

(SANJAY VASHISTH)
JUDGE

October 21, 2022
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