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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No.1744 of 2021 (O&M)

Date of decision: 08.02.2022

Sachin @ Tinku

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashit Malik, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Ashwani Kumar Antil, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this revision petition is for setting-aside the order dated 09.12.2021, passed by the trial Court, vide which the application filed under Section 319 Cr.P.C., has been allowed.

The operative part of the order dated 20.01.2022, passed by this Court in CRM-M No.2147 of 2022, vide which anticipatory bail has been granted to the present petitioner, subject to the condition that he will not challenge the order passed under Section 319 Cr.P.C., to summon him as an additional accused, reads as under:-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.141 dated 20.06.2020 registered under Sections 302, 120-B, 34 IPC and 25/27-A of the Arms Act, at Police Station HSIIDC Barhi, Sonapat, District Sonapat.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Ravinder Kumar, his son Kuldeep was murdered and initially Sachin @ Tinku and Atul, were named in the FIR. It is further submitted that even in the disclosure statement

CASE HEARD THROUGH VIDEO CONFERENCING

of Atul, he has stated that he along with Sachin @ Tinku had committed the murder by causing knife blows. It is also submitted that the petitioner was later on, nominated on the basis of the subsequent disclosure statement of Atul and after the investigation, he was kept in Column No.2.

Counsel for the petitioner has further argued that he has the instructions to say that he will not challenge the order passed under Section 319 Cr.P.C., to summon him as an additional accused and will face the trial, in accordance with law.

Counsel for the petitioner has also submitted that though, he has filed a petition challenging the aforesaid summoning order, however, he will withdraw the same and the petitioner will appear before the trial Court and apply for regular bail.

This fact is not disputed by counsel for the State that the petitioner during the investigation was found innocent and kept in Column No.2, however later on, he has now been summoned by the trial Court under Section 319 Cr.P.C.

In view of the statement made at bar by counsel for the petitioner that the petitioner is ready to appear before the trial Court and face the proceedings, in accordance with law and also the fact that the petitioner will not challenge the summoning order, this petition is allowed and the petitioner is directed to appear before the trial Court within a period of 15 days from today and the trial Court will release him on bail subject to his furnishing requisite bail/surety bonds.

Disposed of.”

In view of the above, counsel for the petitioner seeks permission to withdraw the revision petition.

Dismissed as withdrawn.

(ARVIND SINGH SANGWAN)
JUDGE

08.02.2022
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No