

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104

CRM-M-18819-2023

Date of Decision : 18.04.2023

Bablu Singh @ Ballu Walia

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Siddharth Sihag, Advocate for the petitioner.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 438 Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.79 dated 14.04.2018 registered under Sections 307, 392, 353, 186, 427, 148 and 149 of the Indian Penal Code, 1860 (Sections 307, 392 of the IPC were deleted and Sections 379 and 34 of the IPC were added later on) at Police Station City Phagwara, District Kapurthala.

Learned counsel for the petitioner contends that the present FIR is a subsequent FIR out of the multiple FIRs that has been lodged on the same set of facts. Earlier, FIR No.77 and 78 was filed on the same cause of action. During investigation, the petitioner was declared innocent in both the FIRs by the Special Investigating Team (SIT) and he was put in column No.2. In both the FIRs, applications were moved under Section 319 of the Cr.P.C. for summoning additional accused and the same were allowed. The petitioner along with his co-accused

approached this Hon’ble Court and they were granted the concession of anticipatory bail by this Court. Now, in the present case i.e. FIR No.79, application under Section 319 of the Cr.P.C. was also filed which was allowed vide order dated 07.02.2023 by learned Additional Sessions Judge, Kapurthala and the petitioner was summoned to face trial. Due to passing of summoning orders and non-bailable warrants, the petitioner is having apprehension that he may be send behind bars. The petitioner is ready and willing to appear before the trial Court.

I have heard learned counsel for the petitioner and perused the paperbook.

Without commenting on the merits of the case, petitioner is directed to appear before the trial Court on or before 02.05.2023 and on his appearance before the trial Court, the petitioner shall be released on bail, subject to his furnishing the bail bonds and surety bonds to the satisfaction of the trial Court and in case of failure to do so, the present petition shall be deemed to have been dismissed.

Disposed of.

18.04.2023
Kothiyal

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No