

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

210

CRM-M-31567-2022 (O&M)

Date of Decision: 21.07.2023

BALWINDER SINGH @ SAJJAN SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Tarun Vir Singh Lehal, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.47 dated 12.03.2020, registered at Police Station Batala, District Gurdaspur, under Sections 307, 323, 506 and 34 IPC and Section 302 IPC (added later on).

Learned counsel for the petitioner contends that the above-noted FIR was registered way back on 12.03.2020; that during investigation conducted by the concerned Deputy Superintendent of Police, the petitioner was found innocent; that however, vide order dated 01.06.2022 passed by learned Sessions Judge, Gurdaspur, application under Section 319 Cr.PC., moved by the prosecution, was allowed and the petitioner had been summoned to face the trial along with the co-accused, and that challan qua the co-accused have already been presented and the trial is going on and that nothing is to be recovered from the petitioner.

Learned counsel for the petitioner further submits that vide order dated 22.07.2022, the arrest of the petitioner has been stayed; that nothing is to be recovered from the petitioner; that the trial is going on, which the petitioner is ready to join and that as per the allegation, wooden log blow on the leg of the deceased has been attributed to the petitioner.

On the other hand, learned State counsel submits that the petitioner along with other co-accused, with a common intention, has attacked the deceased and thus, the petitioner had actively participated in the occurrence.

I have heard the learned counsel for the parties.

As noticed above, FIR was registered on 12.03.2020; During investigation, the petitioner was found innocent. Nothing is to be recovered from the petitioner. The petitioner is ready to join the trial, which is going on. Injury attributed to the petitioner is on the non-vital part.

In view of the above, the petitioner is directed to appear before the learned trial Court concerned within 20 days from today. On his doing so, the trial Court concerned is directed to release him on bail subject to his furnishing bail/surety bonds to its satisfaction.

Disposed of in the above terms.

21.07.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*