

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.33945 of 2023
Date of decision: 30th October, 2023

Kashmir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Swati Verma, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.5 dated 20.01.2018 under Sections 307, 324, 323, 427, 379, 506, 148 and 149 of the IPC (Sections 325, 341 and 380 of the IPC and Sections 29, 54 of the Arms Act, 1959 added later on) registered at Police Station PS Sekhwan, Police District Batala, District Gurdaspur.

2. On the last date of hearing, i.e. 17.07.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to appear and surrender before the trial Court within 15 days.

“Learned counsel for the petitioner inter alia contends that the petitioner was found innocent during investigation and was kept in column No.2. However, subsequently he was

summoned under Section 319 of the Cr.P.C. to face trial as an additional accused, therefore, there was a genuine apprehension on his part that as and when the petitioner would appear before the Trial Court on the next date of hearing i.e. 14.08.2023, he could be arrested and sent to custody. It has thus been prayed that in the aforementioned facts and circumstances, custodial interrogation of the petitioner would not serve any useful purpose.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 17.07.2023, the petitioner has appeared and surrendered before the trial Court. In support, she has placed on record order dated 13.10.2023 passed by learned Additional Sessions Judge, Gurdaspur.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having surrendered before the trial Court.

5. In the circumstances, the petition is allowed and the interim order dated 17.07.2023 is made absolute.

(MANJARI NEHRU KAUL)
JUDGE

October 30, 2023
rps

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