

ANKIT SAINI **...PETITIONER**

STATE OF PUNJAB ...RESPONDENT

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI,J. (ORAL)

1. On 06.11.2023, the following order was passed:-

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.15 dated 15.06.2022 registered under Sections 304-B/34 IPC at Police Station Narot Jaimal Singh, District Pathankot.

2. Learned counsel for the petitioner contends that the petitioner is the younger brother-in-law of the deceased. The name of the petitioner does not find mention in the FIR. The allegations in FIR are with regard to demand of air conditioner that have been attributed to the husband and father-in-law of the deceased. During the course of investigation, the statements of two brothers and a resident of parental village of the deceased under Section 161 Cr.P.C were also recorded wherein the name of the petitioner was not named (sic. mentioned). The petitioner has been nominated in the supplementary statement of the complainant that has been recorded 04 days after the registration of the FIR and the same is a result of afterthought. The petitioner was found innocent during the course of investigation and has been summoned on the application under Section 319 Cr.P.C. The next date of hearing in the trial Court is stated to be 09.11.2023.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

5. Adjourned to 01.12.2023.

6. Meanwhile, the petitioner is directed to surrender

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before the learned trial Court within two weeks and on his doing so, he shall be admitted on interim bail to the satisfaction of the trial Court. The petitioner shall also comply with the provisions of Section 438(2) Cr.P.C.”

- 2. Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has surrendered before the trial Court on 14.11.2023 and has been admitted on interim bail.
- 3. On instructions from ASI Rajesh Kumar, learned State counsel has not disputed the aforesaid factual aspects.
- 4. In view of the aforesaid submissions, the order dated 06.11.2023, granting interim bail to the petitioner is made absolute.
- 5. However, the petitioner is directed to furnish fresh bail bonds to the satisfaction of the trial Court within a period of one month.
- 6. The petition is allowed.

01.12.2023
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(VIVEK PURI)
JUDGE

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