

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205 CRM-M-61216-2023 (O&M)
Date of decision: 20.12.2023

Pukar Singh ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Komalpreet Singh, Advocate for
Mr. A.S. Manaise, Advocate for the petitioner.

Mr. M.S. Joshi, Addl. AG, Punjab.

FIR No.	Dated	Section/s	Police Station
41	01.05.2020	302, 34 and 120-B IPC	Ghanie Ke Bangar, Police District Batala, District Gurdaspur

VIKAS SURI, J. (Oral)

1. The petitioner has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in the above-captioned case.
2. On 07.12.2023, the following order was passed in this case:-

“This is a petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.41 dated 01.05.2020, under Sections 302, 34, 120-B IPC, registered at Police Station Batala, District Gurdaspur, wherein petitioner has been summoned as an additional accused under Section 319 of the Code of Criminal Procedure.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR. As per the prosecution version in the FIR, five persons were arraigned as accused. The

challan was presented against three accused namely Arun Kumar, Sandeep Kumar @ Khanda and Sahil, whereas two accused were juvenile and accordingly, separate proceedings were conducted against them. The name of the petitioner has surfaced in the deposition of PW-1 complainant, which is an improvement in the initial version and after due deliberations. It is, thus, urged that no case for custodial interrogation is made out.

Notice of motion

Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of respondent-State and waives service. Learned State counsel seeks time to file reply/status report.

List on 20.12.2023.

In the meanwhile, petitioner is directed to surrender before the trial Court within a period of 10 days from today. On his doing so, petitioner shall be released on interim bail by the trial Court.”

3. Learned counsel for the petitioner submits that pursuant to the aforesaid order, the petitioner has surrendered before the trial Court and has since been admitted to bail and has joined the proceedings.

4. Learned State counsel on instructions from ASI Sukhvinder Singh affirms the aforesaid.

5. In view of the above, on furnishing bail/surety bonds to the satisfaction of the trial Court, the interim bail be made absolute and would be subject to any conditions that may be additionally imposed by the said Court.

6. Disposed of accordingly.

December 20, 2023

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(VIKAS SURI)
JUDGE

Whether speaking/reasoned :

Yes / No

Whether Reportable :

Yes / No