

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

134

CRM-M-20745-2024
Decided on: 06.05.2024

Sh. Inderbir Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Raghav Gulati, Advocate and
Ms. Sandhya Gaur, Advocate for the petitioner.

Mr. Deepender Singh, Addl. AG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
115	15.07.2022	City Patti, District Tarn Taran	7 of Prevention of Corruption Act 1988 and Sections 342/384/201/120B IPC

1. Seeking setting aside of the impugned summoning order dated 18.03.2024 passed in application under Sections 307 & 306 CrPC with regard to criminal case bearing in the FIR captioned above, the petitioner has come up before this Court by filing the present petition under Section 482 CrPC.
2. After arguing for considerable time and facing the strict opposition from the State counsel on the ground that person who was approver was a middle man and not the main accused, counsel for the petitioner wants to withdraw the present petition with provided the below mentioned liberties:-

(i) He be permitted to file anticipatory bail straightway to this Court considering that in case his petition is dismissed by the Sessions Court, he has concurrent jurisdiction to file anticipatory bail before this Court which is also governed under Article 227 of the supervisory jurisdiction and he will not claim any bias in this regard.

(ii) Secondly he be permitted to file an application for discharge and trial court be directed to answer each and every point taken by the petitioner at the time of deciding

his application for discharge.

(iii) Liberty to challenge the charges, if so framed.

3. Petitioner’s counsel further submits that petitioner was directed to appear before the trial Court, however he is present before this Court and this fact be noticed as he could not appear before the trial Court because he wanted to observe the proceedings and to assist his counsel, before this Court. Therefore counsel prays that trial Court shall not take it as negative note about the petitioner.

4. Given above, present petition is disposed of as withdrawn. Liberty reserved to the petitioner to file application of anticipatory bail straightway to this Court subject to the condition that he will not claim prejudice for losing his one opportunity to file anticipatory bail before the Court of Sessions. Liberty also reserved to petitioner to file an application for discharge and trial court is directed to answer each and every point taken by the petitioner, at the time of deciding his application for discharge, if any filed. Petitioner can also challenge the charges, if so framed. Trial Court is also requested not to take absence of the petitioner in negative way before the trial Court as today he is present with his counsel for assistance in this Court. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

06.05.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.