

N.C. No.2024:PHHC:035127

IN THE HIGH COURT OF PUNJAB & HARYANA

AT CHANDIGARH

214

CRM-M-63195-2023 (O&M)

Date of decision: 12.03.2024

SUKHDEV SINGH @ LADDI

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amardeep Singh, Advocate for the petitioner(s).

Mr. Ankit Grewal, DAG Punjab.

Mr. Sidhant Vermani, Advocate for the complainant.

SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-2) as under:

FIR No.	Dated	Sections	Police Station
14	14.01.2021	302, 148, 149 IPC; 25, 27 and 29 of the Arms Act	B-Division, Police Commissionerate, Amritsar

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 20.02.2024 passed by this Court, the petitioner has appeared in the trial Court and furnished the requisite bail bonds. He has placed on record the copy of the order dated 26.02.2024 passed by learned Additional Sessions Judge, Amritsar in case titled as ‘State of Punjab Vs. Balwinder Singh @ Billa, SC/96/2021. He thus prays that the interim bail granted to the petitioner may be confirmed.
3. Learned State counsel has not disputed the aforesaid factum.
4. Heard.
5. During the course of hearing on 20.02.2024, the following order was

passed:-

“ XX-----XX-----XX

3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner had been found innocent during the investigation whereas the challan was presented in the Trial Court qua the other accused and the next date of hearing fixed before the learned Additional Sessions Judge, Amritsar, is 26.02.2024. He further contends that despite the petitioner being found innocent by the police, the petitioner had been summoned as an additional accused in pursuance to the application filed under Section 319 Cr.PC by the learned Trial Court, vide order dated 14.11.2023 (Annexure P-4). He further contends that the petitioner has no concern with the alleged occurrence and has been falsely named in the aforesaid FIR.

4. Learned counsel for the petitioner further contends that the petitioner is ready to join the proceedings and face the trial.

5. Per contra, learned State counsel referring to the reply dated 22.01.2024 (supra) submits that the petitioner had been found innocent during the investigation and, as such, his custodial interrogation is not required.

6. Keeping in view the aforesaid facts and circumstances and without commenting on the merits thereof, the petitioner is directed to appear before the Trial Court on or before 26.02.2024, the date already fixed before the Trial Court and in that event, learned Trial Court is directed to admit the petitioner to interim bail to its satisfaction subject to his furnishing requisite bail/surety bonds and by imposing any just condition.

7. Adjourned to 12.03.2024.”

6. Keeping in view the above submissions and the fact that the petitioner has appeared in the trial Court and furnished his bail and surety bonds consequent to the order dated 20.02.2024 passed by this Court, the interim bail granted vide order dated 20.02.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

12.03.2024

S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No