



CRM-M-60218-2024
Date of decision: 18.01.2025

Ram Nirmal Singh BajajPetitioner.

Versus

State of Punjab and another ...Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Damanjit Singh Sandhu, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

• • • • •

SANJIV BERRY, J. (ORAL)

By way of instant petition preferred under Section 482 Cr.P C, the petitioner is seeking anticipatory bail to the petitioner in case FIR, as mentioned below, in pursuance to the petitioner being summoned by the learned Trial Court under Section 319 Cr. PC vide order dated 14.02.2024 (Annexure P-5): -

FIR No.	Dated	Sections	Police Station
61	03.04.2022	302, 323, 506, 148 and 149, 120 IPC (302 IPC deleted and 304 IPC added subsequently)	Tibba, District Police Commissionerate, Ludhiana



2. Learned counsel for the petitioner submits that in compliance to the order dated 16.12.2024, the petitioner has appeared before the learned Trial Court and was admitted to interim bail vide order dated 18.12.2024 passed by learned Additional Sessions Judge, Ludhiana, copy of the order placed on record is marked as Annexure 'A'. He contends that the petitioner was found innocent during the investigation and was not challaned. However, during the course of trial, the petitioner had been summoned on an application preferred under Section 319 Cr. PC moved by the complainant.

3. During the course of hearing on 16.12.2024, following order had been passed: -

'Learned counsel for the petitioner inter alia contends that originally the FIR in question was registered under Sections 302, 323, 506, 148, 149 and 120-B IPC and later on during the course of investigation, offence under Section 302 IPC was deleted and challan was presented against co-accused under Section 304 IPC along with Sections 323, 506, 148, 149 and 120-B IPC. He contends that after thorough investigation based on electronic evidence as well, the investigating agency had found the petitioner to be innocent and accordingly, he was not challaned. However, during the course of trial, the prosecution had moved an application under Section 319 CrPC and the petitioner was summoned to face trial vide impugned order dated 14.02.2024 (Annexure P-5) and the matter is pending before learned trial Court for the presence of the petitioner for 20.12.2024. He contends that no specific overt act is attributed to the



petitioner in the FIR, much less with any specific weapon. He submits that the petitioner is not having any criminal antecedent and is ready to face the trial.

Notice of motion.

On the asking of the Court, Mr. Ankit Grewal, DAG Punjab accepts notice on behalf of respondent-State and has not disputed the factual matrix.

In these circumstances, without commenting on the merits of the case, petitioner is directed to appear before the Trial Court/Duty Magistrate concerned on or before 20.12.2024. In that event, he is ordered to be admitted on interim bail on his furnishing bail bonds /surety bonds to the satisfaction of the concerned Court/Duty Magistrate.

List on 14.01.2025'.

4. Learned State counsel informs the Court that the petitioner has appeared before the learned Trial Court on 18.12.2024 and was granted interim bail. He further submits that the petitioner is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had appeared before the learned Trial Court in pursuance to the order dated 16.12.2024, interim bail granted vide order dated 16.12.2024 is hereby confirmed. Further the petitioner is directed to appear before the learned Trial Court as and when required in future by way of written notice for such purpose to be served by Investigating Officer/Trial Court upon the petitioner; he will

202-CRM-M-60218-2024

2025:PHHC:007174



not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

18.01.2025
preeti

(SANJIV BERRY)
JUDGE

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |