

Sonu Singh @ Sonu

....Petitioner.

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.

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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 12.12.2024, the petitioner has appeared before the learned Trial Court and was granted interim bail vide order dated 19.12.2024 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 12.12.2024, following order had been passed: -

'2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case due to party faction. He contends that although the petitioner was named in the FIR but after thorough investigation in the matter, he was found innocent and challan was not presented against him, however, during the course of trial, learned Trial Court, on the basis of an application preferred by the prosecution under Section 319 Cr. PC, had summoned the petitioner as an additional accused to face the trial as per order dated 14.02.2024 passed by learned Additional Sessions Judge, Ludhiana (Annexure P-5) and the trial is pending now for 20.12.2024.

3. It is further contended by learned counsel for the petitioner that even as per the allegations levelled



in the FIR neither any injury is attributed to the petitioner nor any weapon alleged to have been used by him. He further contends that the petitioner is not having any criminal antecedents and is ready to face the trial. Hence, the instant petition.

4. *Learned counsel for the petitioner has further contended that the similarly placed co-accused have already been granted the concession of interim bail vide order dated 14.11.2024, passed in CRM-M-48677-2024, 'Bhupinder Singh Sandhu vs. State of Punjab and another' (Annexure P-8); and further the order dated 04.12.2024 passed in CRM-M-60696-2024, 'Vikramjeet Singh @ Kamli vs. State of Punjab'.*

5. *Notice of motion.*

6. *On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent. He has not disputed the factual matrix of the case, as submitted by learned counsel for the petitioner, to the effect that the petitioner was found innocent after investigation and was kept in column No. 2 while presenting the challan before the learned Trial Court and further that the petitioner had been summoned under Section 319 Cr.PC. He has also not disputed the case of the petitioner being at par with the aforesaid cases of the co-accused (supra).*

7. *Adjourned to 14.01.2025.*

8. *Reply, if any, be filed well before the date fixed with an advance copy to the counsel opposite.*

9. *In the meanwhile, the petitioner is directed to appear before the learned Trial Court/Duty*



Magistrate on or before 19.12.2024 and in that event, learned Trial Court/Duty Magistrate will admit the petitioner on interim bail subject to its satisfaction on his furnishing requisite bail/surety bonds.'

4. Learned State counsel informs the Court that the petitioner has appeared before the learned Trial Court on 19.12.2024 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 12.12.2024, interim bail granted vide order dated 12.12.2024 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 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.

(SANJIV BERRY)
JUDGE

18.01.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |