

BALJINDER SINGH VS STATE OF PUNJAB

Present: Mr. D.S. Virk, Advocate for the petitioner.

Learned counsel for the petitioner contends that on account of the murder of the father of the petitioner which had been witnessed by the petitioner, the petitioner had to go abroad. It has been submitted that the P.O. proceedings were initiated when the petitioner was abroad and he never came to know about the proceedings. It has been submitted that after the initial grant of bail to the petitioner during the stage of investigation, the petitioner never put in appearance before the Court because he was under the genuine impression that no proceedings were pending against him. Learned counsel further submits that all co-accused have been acquitted vide judgment dated 31.03.2015 (Annexure P-4) wherein serious doubt has been cast upon the complainant of the case. Learned counsel further relies upon the judgment passed by Division Bench of this Court in *CRA-D-638-DB-2007* titled as *Sudo Mandal @ Diwarak Mandal Vs. State of Punjab* (Annexure P-8) and the judgment of the Hon'ble Supreme Court in *Special Leave to Appeal (CRL.) No.(s) 7909/2015* titled as *The State of Punjab Vs. Sudo Mandal @ Diwarak Mandal* (Annexure P-9).

Notice of motion.

Mr. Mohit Kapoor, Addl. A.G, Punjab, accepts notice on behalf of the respondent-State of Punjab.

List on 27.07.2023 for arguments.

Till the next date of hearing, no coercive action in pursuance to the order dated 01.06.2011 (Annexure P-3) be taken against the petitioner.

(VIKRAM AGGARWAL)
JUDGE

19.05.2023
Prince Chawla