

Manjit Kaur Vs. State of Punjab

Present: Shri Dalip Bhandari, Advocate, counsel for the applicant.
Shri Amanpreet Singh Sandhu, Public Prosecutor for State,
with ASI Raman Kumar.

1. Accused/applicant Manjit Kaur has sought pre-arrest bail in case arising out of FIR No. 62 dated 03.09.2018 under Sections 323,324, 326, 34 IPC, Police Station Kahnuwan

2. Heard. From the perusal of the record it is made out that trial Court framed charge under Section 323 read with Section 34 IPC against accused Manohar Singh and Arjan Singh on 31.01.2022. After recording of some evidence against the said persons, the prosecution moved an application under Section 319 Cr.P.C. for summoning of applicant Manjit Kaur as additional accused. Vide order dated 12.05.2023 the learned trial Court has summoned the applicant as additional accused. Since applicant has been summoned by the learned trial Court to face trial under Section 323 IPC, therefore, the instant application for anticipatory bail is not maintainable.

3. The learned counsel for the applicant submits that in the summoning order the particulars of the section where-under applicant has been summoned are not mentioned. However, once applicant has been summoned in the pending trial, it can be inferred that she has been summoned to face trial under the same provisions for which trial is being faced by the accused already before the Court. Since applicant has been summoned to face trial for the commission of bailable offence, therefore,

(Rajinder Aggarwal)
Sessions Judge, Gurdaspur. 02.06.2023.

the instant application is not maintainable and the same stands dismissed accordingly.

4. Trial Court record alongwith copy of this order be returned to the Court concerned. Instant file be consigned to the Record Room.

Pronounced.
Dated: 02.06.2023.

Davinder Singh, EA

(Rajinder Aggarwal)
Sessions Judge, Gurdaspur.
(UID No. PB00048)

(Rajinder Aggarwal)
Sessions Judge, Gurdaspur. 02.06.2023.