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CRM-23578-2020 in
CRM-M-45242-2018

SUMEDH SINGH SAINI V/S STATE OF PUNJAB AND ANR

Present : Mr. Vinod Ghai, Sr. Advocate with
Mr. Jasdev Singh Mehndiratta, Advocate
for the applicant/petitioner.

Mr. P.S. Walia, Asstt. AG, Punjab
for respondent No.1-State.

None for respondent No.2-CBI.

The case has been taken up for hearing through video conferencing.

The applicant/petitioner has filed present application under Section 482 of the Code of Criminal Procedure, 1973 for extending the protection granted by this Court vide order dated 11.10.2018 to any incident pertaining to the entire service career of the applicant/petitioner.

The relevant part of order dated 11.10.2018 reads as under:-

“There is certainly no dispute as regards the proposition of law laid down in the above cited judgments. This Court does not intend to grant absolute anticipatory bail to the petitioner, at this stage. Since it is a case which has a political colour also to it and instances of FIRs being lodged due to political vendetta are not unknown, therefore, in view of the special circumstances, this Court deems appropriate to direct that till the next date of hearing, in case the petitioner is sought to be arrested in Kotkapura sacrilege case or in case involving Aman Skoda of Moga or in any case pertaining to an incident of the period while the petitioner remained as State Vigilance Head or Inspector General of Police, Intelligence, Punjab or Director General of Police Punjab, then one week’s advance notice shall be afforded to the petitioner before effecting his arrest so as to enable him to have recourse to remedies available to him.”

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Notice in the application.

Learned State Counsel has accepted notice on behalf of respondents No.1-State and seeks time to file reply to the application.

Adjourned to 08.10.2020.

Notice to respondent No.2 be issued for that date and notice be also given dasti, if so desired.

To be shown in the urgent list.

Till then the protection of order dated 11.10.2018 passed by this Court is extended to any incident pertaining to the entire service career of the applicant/petitioner except the incident subject matter of case FIR No.77 dated 06.05.2020 registered under Sections 364, 201, 344, 330, 219, 120-B of the Indian Penal Code, 1860 at Police Station City Mataur, District S.A.S. Nagar (Mohali) to which Section 302 of the IPC was added lateron regarding which SLP No.4336 of 2020 titled Sumedh Singh Saini Vs. State of Punjab is pending before Hon'ble Supreme Court. In case the applicant/petitioner is sought to be arrested in any case pertaining to any incident during entire service of the petitioner, other than the incident subject matter of abovesaid FIR No.77 dated 06.05.2020, then one week's advance notice shall be given to the petitioner before effecting his arrest so as to enable him to have recourse to remedies available to him in accordance with law.

23.09.2020
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(ARUN KUMAR TYAGI)
JUDGE