

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CRM No.M-144 of 2015

Date of Decision:28.01.2015

Bimla and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR.

**Present: Mr.S.K.Yadav, Advocate,
for the petitioners.**

**Mr.Raj Kumar Yadav, Deputy Advocate General,
Haryana, for the respondent-State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioners have preferred the instant petition for the grant of concession of anticipatory bail in a case registered against them along with their other co-accused, vide FIR No.264 dated 29.08.2013, in which, they were summoned to face trial as additional accused, in the wake of application under Section 319 Cr.P.C., filed on behalf of the prosecution, for the commission of offences punishable under Sections 304-B and 34 IPC by the trial Court.

2. Notice of the petition was issued to the respondents.
3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.
4. During the course of preliminary hearing, the following

order was passed on January 07, 2015 by this Court:-

“Learned counsel, inter alia, contended that the petitioners were falsely implicated in this case by the complainant, in order to wreak vengeance. The argument is that during the course of investigation, they were found innocent and were exonerated by the police. Subsequently, they were summoned to face the trial as additional accused, in the wake of petition under Section 319 Cr.P.C., filed on behalf of the prosecution, by the trial Court, without any cogent evidence. Moreover, neither any specific role or overt-act is attributed to them with regard to cruelty in connection with or on account of demand of dowry. Moreover, nothing is to be recovered from the petitioners.

Heard.

Notice of motion be issued to the respondent, returnable for 28.01.2015.

Meanwhile, the petitioners are directed to appear/surrender before the next date of hearing and the trial Court would admit them to interim (provisional) bail on their furnishing adequate bail and surety bonds to its satisfaction.”

5. At the very outset, learned counsel has placed on record certified copy of the order dated 13.01.2015, which would reveal that the petitioners have already surrendered/appeared and the bail bonds & surety bonds furnished by them, in pursuance of the pointed order of this Court, were accepted and attested by the trial Court. There is no history of their previous involvement in any other criminal case. The conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons, taking into consideration the peculiar facts & the special circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial of the main case, the instant petition for anticipatory bail is accepted.

The interim(provisional) bail already granted to the petitioners, by means

of indicated order of this Court, is hereby made absolute.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the case, in any manner, as the same has been so recorded for a limited purpose of deciding the present petition for pre-arrest bail.

January 28, 2015
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(**MEHINDER SINGH SULLAR**)
JUDGE