

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-15664-2015

Date of decision: 07.07.2015

Sandeep Aneja and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Harshit Sethi, Advocate for the petitioners.

Mr. Gazi Mohd., DAG, Punjab.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioners, namely; Sandeep Aneja and Sahil Aneja, seeking anticipatory bail in FIR No. 03 dated 11.01.2013 registered under Sections 406/409/120-B of the Indian Penal Code at Police Station Sadar, Jalalabad, District Fazilka.

When this case was listed on 13.05.2015, following order was passed:-

“It is inter alia contended that main accused in this case is Subhash Chander Aneja whose pre-arrest bail was declined by this Court in CRM-M No.9962 of 2013 but his appeal has been accepted by the Hon'ble Supreme Court and pre-arrest bail granted to him on 30.04.2014 as per order Annexure P-13. It is further submitted that the petitioners were kept in Column No.2 of the challan and cognizance against them has been taken by the Magistrate in terms of 190 (1) (b)

Cr.P.C.

Notice of motion for 07.07.2015.

In the meanwhile, on appearance of petitioners before the trial Court on 21.5.2015, the petitioners would be admitted to bail on their furnishing bail bonds to the satisfaction of trial Court.”

Learned State counsel submits that both the petitioners were partners of co-accused Subhash Chander Aneja who has been granted the concession of pre-arrest bail by the Hon'ble Supreme Court, vide order dated 30.04.2014 (Annexure P-13), passed in SLP (Criminal) No. 3997 of 2013. It is further submitted that the petitioners were kept in column No. 2 of the challan but cognizance against them was taken by the learned Judicial Magistrate Ist Class, Jalalabad, under Section 190 (1) (b) Cr.P.C. vide order dated 01.04.2015 (Annexure P-10).

It is not disputed that in deference to the above-stated order dated 13.05.2015, the petitioners have appeared before the trial Court and furnished bail bonds.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the order dated 13.05.2015 is made absolute and the bail bonds furnished by the petitioners before the trial Court would continue during the pendency of the trial.

July 07, 2015
rishu

(R.P. NAGRATH)
JUDGE