

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-18477 of 2015 (O&M)
Date of decision: 17th August, 2015

Om Parkash alias Omi and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sukhdeep Singh Bhinder, Advocate,
for the petitioners.

Ms. Simsi Dhir Malhotra, DAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioners have preferred this petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.151 dated 02.09.2013, registered at Police Station Canal Colony, Bathinda, District Bathinda, under Section 304-B IPC.

Notice of motion was issued.

Today, learned State counsel on behalf of respondent-State has appeared.

Learned counsel for the petitioners contended that the petitioners have been summoned on the application under Section 319 Cr.P.C. and as per interim order dated 29.05.2015, passed by this Court, they have appeared before the Court of learned Addl. Sessions Judge, Bathinda and have furnished bail/surety bonds which have been accepted by that Court vide order dated 05.06.2015.

On the other hand, learned State Counsel contested this petition.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

As the petitioners have been summoned on the application under Section 319 Cr.P.C, therefore, they are not required for any investigation or interrogation purposes. They are simply to appear before the learned trial Court to face the trial. Earlier, they have been found innocent by the Investigating Agency and no challan has been presented against them. The petitioners have already surrendered before the learned Addl. Sessions Judge, Bathinda and they are already on interim bail. No useful purpose will be served by sending them to custody.

Therefore, keeping in view the facts and circumstances of the present case and without discussing the merits of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the interim order dated 29.05.2015, passed by this Court, granting interim bail to the petitioners is made absolute.

17th August , 2015
mamta

(INDERJIT SINGH)
JUDGE