

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-28883 of 2015.
Decided on:-17.11.2015.

Satnam Singh.

.....Petitioner.

Versus

State of Punjab and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. R.S. Ghuman, Advocate
for the petitioner.

HARI PAL VERMA, J.

The petitioner has filed the present petition under Section 439(2) Cr.P.C. for cancellation of anticipatory bail granted by learned Additional Sessions Judge, Jalandhar vide order dated 7.4.2015 to the respondents No.2 and 3 in criminal complaint case No.66/1/13 under Sections 307, 326 and 324 read with Section 34 IPC pending in the Court of learned Judicial Magistrate 1st Class, Phillaur, District Jalandhar. Vide order dated 7.4.2015, learned Additional Sessions Judge has granted interim bail to the respondents No.2 and 3.

Learned counsel for the petitioner has argued that initially on the complaint of the petitioner, FIR No.138 dated 5.10.2009 under Sections 307, 326 and 324 read with Section 34 IPC was registered at Police Station Nurmahal against the respondents No.2 and 3, but as the accused persons are very influential persons, the police did not take any action against them. It is for this reason that the petitioner has filed the complaint before the learned Magistrate. Learned counsel has submitted that taking into consideration the seriousness of the offences, no case for grant of anticipatory bail is made out, but learned Additional Sessions Judge has illegally extended the benefit of anticipatory bail to the respondents No.2 and 3.

I have heard learned counsel for the petitioner.

Admittedly, initially FIR was registered and the police has conducted the investigation. The order passed by learned Additional Sessions Judge that the instant complaint is a counter-blast of the FIR No.133 dated 11.8.2007 which had been got registered by respondent-accused Balihar Singh against Gurmit Singh and others cannot be ignored. In the present case, during the enquiry conducted by the then Superintendent of Police, the respondents-accused have been found innocent, but nevertheless the custodial interrogation of the accused was not required in the complaint case as the police has otherwise found them innocent.

Accordingly, I find no merit in the present petition and the same is dismissed.

Needless to say that the observations made hereinabove shall have no bearing on the merits of the main case and the trial Court shall decide the case on the basis of availability of evidence.

November 17, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE