

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

CRM-M-31350-2015

Date of decision: 07.12.2015

Om Parkash and others

... Petitioners

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. J.S. Hooda, Advocate
for the petitioners.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

Mr. Surinder Dagar, Advocate
for respondent No.2.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioners seek pre-arrest bail in criminal complaint No.RBT 61 of 13.03.2014 pending in the Court of Sh. Vishal, learned Judicial Magistrate 1st Class, Hodal under Sections 304-B, 498-A, 120-B IPC.

Notice of motion was issued and petitioners were directed to appear before the learned trial Court, which was to admit the petitioners to interim anticipatory bail.

Learned counsel for the petitioners submits that in compliance of the order passed by this Court, petitioners have appeared before the learned trial Court and their bail bonds were accepted, releasing them on interim anticipatory bail. He further submits that since the case has been committed to the learned Court of Sessions and the trial is going on, custodial interrogation of the petitioners would not be required.

On the other hand, learned counsel for the complainant-respondent No.2 submits that petitioners are not entitled for the concession of anticipatory bail, because allegations against the petitioners were direct and serious. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that in the given facts and circumstances of the case, petitioners have been found entitled for the concession of anticipatory bail. It is so said because case has already been committed to the learned Court of competent jurisdiction and the trial is going on. In such a situation, custodial interrogation of the petitioners would not be required.

In view of the above, instant petition is allowed and the order dated 15.09.2015 passed by this Court, is hereby made absolute.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

07.12.2015
vishnu