

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

**CRM No.M-3226 of 2015
Date of Decision:- 13.02.2015**

Sukhwinder Singh and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

**Present: Mr. Nand Lal Sammi and
Mr. Hitesh Kumar Sammi, Advocates,
for the petitioners.**

**Mr. J.S. Sekhon, Assistant Advocate General, Punjab,
for the respondent-State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioners have preferred the instant petition for the grant of anticipatory bail, in a case registered against them along with their other co-accused, vide FIR No.108 dated 17.10.2011, on accusation of having committed the offences punishable under Sections 302, 34 and 120-B IPC, by the police of Police Station Shambu, District Patiala.

2. Notice of the petition was issued to the State.
3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after 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 by this Court on January 30, 2015:-

“Learned counsel, inter alia, contended that the petitioners were falsely implicated in this case by the complainant in order to put pressure and wreak vengeance. During the course of investigation, they were found innocent, exonerated and police filed the closer report to cancel the case. The argument is that the magistrate has issued non-bailable warrants against them (petitioners), without any legal basis. Heard.

Notice of motion be issued to the respondent, returnable for 13.02.2015.

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 his affidavit and stated at the bar that the petitioners have already appeared/surrendered and the bail & surety bonds furnished by them, in pursuance of the pointed order of this Court, were attested and accepted by the trial Court.

6. In the light of aforesaid reasons and taking into consideration the totality of facts and 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 main case, the instant petition for anticipatory bail is accepted and the interim (provisional) bail already granted to the petitioners, by virtue of indicated order by this Court, is hereby made absolute.

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

February 13, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE