

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

Crl. Misc. No.M-3286 of 2015 (O&M)

Date of Decision: May 01, 2015.

Vipan Kumar and others

.....PETITIONER(s).

VERSUS

State of Punjab and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vinod K. Kaushal, Advocate
for the petitioner (s).

Mr. P.S. Ghuman, Addl.A.G., Punjab.

None for respondent No.2.

SURINDER GUPTA, J.(Oral)

Service is complete. None has appeared on behalf of
respondent No.2.

Heard.

Learned counsel for the petitioners submits that the
petitioners had surrendered before the trial Court on 11.02.2015 and were
released on interim bail under order 30.01.2015 passed in this case.
Learned counsel for the petitioners further submits that regarding the
same occurrence FIR No.128 dated 16.11.2012 was registered at Police
Station Mehtiana, District Hoshiarpur on the statement of complainant

Gurinder Singh. The police after investigation deleted the offences punishable under Section 326, 148 and 149 of Indian Penal Code and presented the challan in Court, wherein petitioners Vipin Kumar and Jai Ganesh were kept in column No.2 as they were found innocent.

As the petitioners have put in appearance before the trial Court and trial is proceeding further, their custodial interrogation in this case is not required. The application is allowed and order dated 30.01.2015, allowing them interim bail, is made absolute, subject to the following terms:-

- a. The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh before the trial Court.
- c. They shall not leave the country without the previous permission of the Court.

May 01, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE