

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-44487 of 2014
Date of Decision: January 20, 2015

Amrit Bhakri and another
.....Petitioners

Vs.

State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr. B.S. Sra, Advocate
for the petitioners.

Mr. J.S. Brar, AAG, Punjab.

Mr. G.P.S. Bal, Advocate

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M.M.S. BEDI, J. (ORAL)

Pursuant to the interim order passed by this Court, the petitioners have already put in appearance before the trial Court.

Counsel for the complainant has intervened to oppose the petition for pre-arrest bail contending that the petitioners are specifically traceable in the CCTV footage to have participated in the occurrence. It has also been submitted that in case bail is granted to the petitioners, they will be able to brow-beat and threaten the witnesses as petitioner No.1 is seen moving in the vicinity carrying a revolver.

I have heard learned counsel for the petitioners as well as counsel for the complainant and I am of the opinion that on account of dual version regarding involvement of the petitioners having already cropped up on account of earlier investigation conducted by the police, it will not be appropriate to deny concession of bail to the petitioners as trial is likely to take a long time and no useful purpose will be served by keeping the petitioners in custody. However, in order to safeguard the rights of the prosecution agency and the complainant, it is ordered that the petitioners will remain on bail against the bail bonds furnished by them pursuant to the interim orders dated December 29, 2014; they will continue to appear before the trial Court and will not absent themselves on any date of hearing except permitted by the Court; they will not, in any manner, brow-beat or threaten the complainant and will also not commit the similar offence of which they are accused of during the pendency of the trial. In case of violation of any of the conditions, it will be open to the complainant to approach this Court for cancellation of the bail.

Since the complainant is an NRI, it is directed that trial Court shall conclude the trial expeditiously by giving fair opportunity to the prosecution agency.

Allowed in the aforesaid terms.

January 20 , 2015
sanjay

(M.M.S.BEDI)
JUDGE