

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

CRM-M-8532 of 2015(O&M)

Date of Decision: 01.09.2015

Jaswinder Singh & Anr.

...Petitioners

VERSUS

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE SHEKHER DHAWAN

Present:- Dr.Naresh Kaushik, Advocate for the petitioners.

Mr.Neeraj Poswal, AAG Haryana for the State.

Mr.J.S.Saneta, Advocate for the complainant.

Shekher Dhawan, J. (Oral)

Present petition u/s 438 Cr.PC is for anticipatory bail in case FIR No.169 dated 03.09.2014 under sections 148, 302, 307, 323 and 506 read with section 149 IPC of Police Station Sadar Ambala. Learned counsel for petitioners mainly contended that both the petitioners are originally named as accused in the case, but on the basis of investigation, they were found innocent and challan was presented against five accused only. Thereafter, present petitioners were summoned on an application u/s 319 Cr.PC. They already appeared before the trial Court, in compliance with the order of this Court, but their bail application was dismissed and as such now they are before this Court.

Learned State counsel as well as learned counsel for complainant contended that there are no grounds for releasing the

petitioners on anticipatory bail. Learned counsel for complainant also took the plea that petitioner Jaswinder Singh is working as ASI and because of that only, he was found innocent during investigation and Bachan Singh is father of Jaswinder Singh and there are no grounds for releasing the petitioners on anticipatory bail in this case and their bail application be dismissed. Learned State counsel confirmed that investigation in the case was carried out by a senior police officer of the rank of ACP Ambala and it had come in the evidence that Jaswinder Singh petitioner was present in the police station at the time of alleged commission of crime and that is why the challan was not presented against him.

Having considered these facts and specially in view of the fact that challan was presented against five accused and out of them, three accused have already been released on regular bail. The present petitioners have been summoned u/s 319 Cr.PC. Hence, they are ordered to be released on bail on their furnishing bailbonds and surety bonds to the satisfaction of trial Court.

Petition disposed of.

01.09.2015

AS

(SHEKHER DHAWAN)
JUDGE