

**Sr. No. 205
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M- 1167 of 2016 (O&M)

Date of Decision: 27.02.2016

Bakhshish Singh and another

...Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Navjot Singh, Advocate,
for the petitioners.

Ms. Manpreet Dhaliwal, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.16 dated 19.04.2011, under Sections 326, 323 and 34 of the Indian Penal Code, registered at Police Station Behrampur, District Gurdaspur, Punjab.

While issuing notice of motion, the following order was passed by this Court on 14.01.2016:

“Petitioners seek the concession of anticipatory bail in case FIR No.16 dated 19.04.2011, under Sections 326/323/34 IPC registered at Police Station Behrampur, District Gurdaspur.

Counsel would contend that it is case of version and cross version. That apart, the present petitioners during the course of investigation had been found to be innocent. It is only thereafter on account of an application having been filed under Section 319 Cr.P.C.

That they have been summoned as additional accused to face trial under Sections 326/323 read with Section 34 IPC. Counsel would submit that there is no intent on the part of the petitioners to evade the trial proceedings and they would be ready and willing to appear before the trial Court.

Notice of motion, returnable on 27.02.2016.

It is directed that in case the petitioners duly appear before the trial Court on the date already fixed i.e. 25.01.2016, they would be entitled to ad interim protection as regards arrest subject to the satisfaction of the trial Court.”

Learned counsel appearing for the petitioners would submit that in terms of the liberty granted by this Court, petitioners have duly appeared before the trial Court on 25.01.2016 and were admitted to interim bail on furnishing the requisite bail bonds.

Such factual position has even affirmed by the learned State counsel who is on instructions from ASI Genesh Kumar, Police Station Behrampur, District Gurdaspur.

Petitioners having already joined trial proceedings, prayer made in this petition is accepted.

Order dated 14.01.2016, passed by this Court, is made absolute.

27.02.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**