

Sr. No. 203

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

**CRM No. M-36269 of 2015 (O&M)
Date of Decision: 06.04.2016**

Balwinder Singh and others

...Petitioners

Versus

State of Punjab and another

... Respondents

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

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

Mr. D.S.Virk, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

The present petition has been filed under Section 438 read with Section 482 Cr.P.C. seeking concession of anticipatory bail to the petitioners in complaint case No.19 dated 18.03.2015, under Sections 452/323/324/325/295/34 of Indian Penal Code and Sections 3 and 4 of Scheduled Caste Act, pending in the Court of Learned Judicial Magistrate Ist Class at Phagwara, District Kapurthala.

While issuing notice of motion, the following order was passed by this Court on 20.10.2015:

“Learned counsel for the petitioners contends that apart from the fact that petitioners No.1 to 4 and 7 belong to the same caste, name of petitioners No.5 and 6 did not figure even in the FIR.

Notice of motion for 07.01.2016.

In the meantime, in the event of arrest of the petitioners, they shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioners shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Counsel for the petitioners has during the course of hearing today produced a certified copy of order dated 29.10.2015 passed by the learned Judicial Magistrate Ist Class, Phagwara which would show that the petitioners have duly appeared before the trial Court and have been admitted to bail on their furnishing personal bonds in the sum of Rs.50,000/- each along with one surety in the like amount.

As per office report, complainant/respondent No.2 Rulda Singh has been duly served. However, there is no representation caused on his behalf to oppose the present petition.

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

Petition is allowed. Order dated 20.10.2015, passed by this Court, is made absolute.

Disposed of.

06.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**