

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

Cr. Misc. M 38338 of 2016
Date of decision: 8.12.2016

Bichha Ram and anr

Petitioners

VS.

State of Haryana and another

Respondent

Present: Mr. JS Bedi, Sr. Advocate with
Mr. GS Dhillon, Advocate.
Mr. Ramesh Kumar, AAG, Haryana.

M.M.S.BEDI,J.

On the instructions of HC Ram Chander it has been informed that pursuant to the interim order, the petitioners have appeared before the Judicial Magistrate Ist Class, Ambala pursuant to the summoning order order dated 8.8.2016 (Annexure P-7). The petitioners were summoned as accused on the basis of dying declaration of Prem Giri, who died on 2.11.2008. The FIR u/s 302 IPC was converted into one u/s 306 IPC on 5.11.2008 but on investigation cancellation report was filed on 11.12.2012 , which was contested by the complainant by filing a protest petition. The cancellation report having not been accepted, the petitioners were summoned by the Judicial Magistrate Ist Class, Ambala.

In view of dual version having cropped up on the basis of investigation and the petitioners having put in appearance before the summoning court, the custody of the petitioner does not appear to be necessary.

Accordingly, the petition is allowed and the petitioners will remain on bail against the bail bonds already furnished, subject to the condition that they will continue to appear before the trial court and will not absent themselves without any sufficient cause.

December 8 ,2016
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No