

Sr. No.208

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-4559 of 2016 (O&M)
Date of Decision: 04.05.2016

Amandeep Singh @ Deepa and another

...Petitioners

Versus

State of Punjab

... Respondent

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

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

Mr. D.S.Virk, 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.131 dated 31.07.2015, under Section 379 of the Indian Penal Code, registered at Police Station Kartarpur, District Jalandhar.

While issuing notice of motion, the following order was passed by this Court on 08.02.2016:-

"Petitioners seek concession of pre-arrest bail in case FIR No.131 dated 31.07.2015, under Section 379 IPC, registered at Police Station Kartarpur, District Jalandhar.

In a nutshell, accusations against the present petitioners have been raised by complainant Avtar Singh that wires/alternators from the generator set belonging to

the complainant have been stolen.

Counsel would advert to the order dated 02.02.2016 passed by the learned Additional Sessions Judge, Jalandhar declining concession of anticipatory bail to the present petitioners only on the ground that they have been declared as proclaimed persons.

Contention raised by counsel is that the bar envisaged with regard to denial of concession of anticipatory bail to proclaimed persons/offenders would not apply to the present petitioners inasmuch as the application seeking concession of anticipatory bail had been filed even prior to the date of issuance of proclamation i.e. 10.12.2015 and in pursuance to which the petitioners have been declared as proclaimed persons on 06.01.2016.

Notice of motion, returnable for 04.05.2016.

In the meanwhile, petitioners are directed to put in appearance before the trial Court on or before 15.02.2016 and upon their doing so, they would be entitled to interim protection as regards arrest subject to the satisfaction of the trial Court.”

Learned State counsel upon instructions from SI Malkit Singh apprises the Court that the petitioners have appeared before the trial Court on 12.02.2016 and have been admitted to interim bail on furnishing requisite bail bonds.

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

Present petition is disposed of in terms of making the order dated 08.02.2016 as absolute.

04.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**