

JASWANT SINGH AND ANRPETITIONERS
VERSUS
STATE OF PUNJAB AND ANRRESPONDENTS

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Atul Jain, Advocate for the petitioners.
Mr.Jashan Preet Singh, AAG, Punjab.

M.M.S.BEDI, J.(Oral)

The petitioners have been in custody w.e.f. 20.12.2015 in a private complaint filed by Kuldip Singh respondent No.2. An FIR had earlier been registered at the instance of petitioner No.1 Jaswant Singh against Gurcharan Singh and others. A DDR in the shape of cross-version filed by Kuldip Singh respondent No.2 was found to be false as such no action was taken on alleged cross-version filed by Kuldip Singh respondent No.2. The respondent No.2 opted to file a private complainant in which anticipatory bail was declined by Sessions Court and by this Court. The dismissal of the application for pre-arrest bail has also been made a ground for dismissal of regular bail. The Additional Sessions Judge while dismissing the regular bail application in a private complainant has observed that in view of grave nature of offence involved in the case, the petitioners are not entitled to concession of bail.

I have considered the facts and circumstances of the case. There appears to be no application of mind by Additional Session Judge while dismissing the application for regular bail of the petitioners.

Keeping in view the fact that the petitioners are in custody during the hearing of a private complaint in which the same allegations are there, which had been found to be baseless after recording of DDR in the shape of cross-version no purpose would be served by keeping them in custody.

Petition is allowed. The petitioners are ordered to be released on bail on their furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

(M.M.S.BEDI)
JUDGE

February 18, 2016