

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

**Crl. Misc. No.M-18995 of 2017 (O&M)
Date of Decision: December 12, 2017**

Ashok Sood and another

.....PETITIONER(s).

VERSUS

State of Punjab and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. N.S.Shekhawat, Advocate
for the petitioner (s).

Ms. Seena Mand, DAG, Punjab.

Ms. Santosh, Advocate
for respondent No. 2.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in complaint No. 72/2015 dated 21.12.2015 titled as “Balvir Singh Vs. Ashok Sood and another” pending in the Court of Additional Sessions Judge, Fatehgarh Sahib, wherein they have been summoned to face trial for the offences punishable under Sections 3(i) (x) & (xiv) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, and 406, 420, 506 read with Section 34 of Indian Penal Code.

Heard.

Learned counsel for the petitioner submits that the petitioners

have already surrendered before the trial Court and have been allowed interim bail vide order dated 25.05.2017. The trial is in progress and custodial interrogation of petitioners is no more required.

Learned counsel for respondent No. 2 also submits that the petitioners have appeared before the trial Court and have been allowed interim bail.

At the time of grant of interim bail vide order dated 25.05.2017, a detailed order was passed observing that the matter was earlier investigated by the police and version of the complainant was found to be false and complainant (respondent No. 2) filed complaint on same set of allegations before the Illaqa Magistrate in which the petitioners have been ordered to be summoned to face trial.

Keeping in view the above facts but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 25.05.2017 is made absolute subject to the condition that petitioners shall apply for regular bail (if not applied and allowed so far) before the trial Court and will keep on appearing on each and every date of hearing. In the event of their non-appearance on any date without permission, the trial Court will be competent to cancel their bail and forfeit the bail bonds and surety bonds and proceed against them in accordance with law.

December 12, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No