

Jaswinder Singh & Anr. Vs. State of Punjab

Present: - Mr. Rishu Mahajan, Advocate
for the petitioners.

Mr. Randeep Singh Khaira, AAG, Punjab.

Mr. Kapil Khanna, Advocate
for the complainant.

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Through the present petition filed under Section 438 Cr. P. C., the petitioners seek anticipatory bail in FIR No.09, dated 14.01.2016, registered under Sections 307/ 452/ 323/ 324/ 325/ 148/ 149 IPC, at Police Station Basti Bawa Khel, Jalandhar.

It is submitted on behalf of the petitioners that the petitioners were initially named in the FIR but on the inquiry conducted by ACP Jalandhar and approved by Commissioner of Police, Jalandhar, were held to be innocent.

Later on, on the basis of the statement of PW-3 further submits that after recording the statement of the complainant who appeared as PW3, the petitioner has been summoned to face the trial. Learned counsel for the petitioner submits that they are ready to appear before the trial Court and face the trial.

Mr. Randeep Singh Khaira, AAG, Punjab appears and submits that the petitioner's No.2 earlier application for anticipatory bail was dismissed and therefore the petitioners are not entitled to grant the concession of anticipatory bail.

Learned counsel for the petitioners submits that there are change of circumstances and the petitioner are now summoned under Section 319 Cr. P. C.

CRM-M-25200 of 2017 :2:

Considering the facts and circumstances of the case, the petitioners are directed to appear before the trial Court on 04.08.2017 the date already fixed. On appearance of the petitioners, they shall be released on bail, subject to furnishing bail bonds/surety bonds.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioners are found involved in any other subsequent case or found misusing concession of bail.

Anything stated here-in-above shall not be construed as an expression of opinion on the merits of the case.

(ARVIND SINGH SANGWAN)
JUDGE

27.7.2017
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