

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-27880 of 2017
Date of Decision: 18.08.2017

Anil Kumar @ Anthony and anotherPetitioners

VERSUS

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Veneet Sharma, Advocate
for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Deepak Aggarwal, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

Present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No. 72 dated 16.03.2017 registered for offences punishable under Sections 307, 323, 324, 148 read with Section 149 of Indian Penal Code (for short, "IPC") and 25/27 of the Arms Act, at Police Station Sadar, Amritsar City, District Amritsar.

Heard.

Petitioners are not named in the FIR. Learned State counsel submits that petitioners have been nominated in this case as accused during investigation. However, no specific role has been attributed to them.

Learned counsel appearing for the complainant has filed affidavit of complainant, wherein he has stated that the matter has since been amicably settled with petitioners.

Learned counsel for petitioners submits that co-accused,

namely, Ravi Kumar @ Ravi, in similar circumstances, has already been granted regular bail vide order dated 11.07.2017 passed in CRM-M-23174-2017.

Keeping in view the fact that no specific role has been attributed to petitioners and they have also not been named in the FIR, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioners, namely, Anil Kumar @ Anthony and Sukhwinder Singh @ Saal are ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

August 18, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No