

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Criminal Misc. No. M-3454 of 2017

Date of decision : May 03, 2017

Rinka Rani & anr.

..... Petitioners

VERSUS

Chiman Singh & anr.

..... Respondents

CORAM : HON'BLE MR. JUSTICE A.B. CHAUDHARI

PRESENT: Mr. Neeraj Madaan, Advocate, for the petitioners.
Mr. A.K. Sama, Advocate, for respondent No.1.
Mr. D.S. Virk, Deputy Advocate General, Punjab, for
respondent No.2.

...

1. Whether Reporters of local newspapers may be allowed to see the judgment? YES/NO
2. To be referred to the Reporter or not? YES/NO
3. Whether the judgment should be reported in the digest? YES/NO

Per A.B. Chaudhari, J.

Learned counsel for the petitioners seeks anticipatory bail in Complaint case No.287-1 of 04.12.2012 (Annexure P-1).

In a private complaint case, the trial Court issued summoning order dated 19.07.2016 (Annexure P-2) to the petitioners under Sections 302/148/149, Indian Penal Code. A reading of the summoning order itself shows that the police did not file any challan in the matter and, therefore, private complaint was filed by the complainant on 04.12.2012. Since the case is pending for the last about 4-1/2 years in the trial Court and there is no report of the petitioners misusing the liberty, there is no point in detaining the petitioners by refusing them the grant of anticipatory bail.

Looking to the above factual scenario, there is no need to curtail the liberty of the petitioners to defend the trial.

In view of the above, I make the following order:-

ORDER :

- i) CRM-M-3454 of 2017 is allowed;
- ii) The petitioners are ordered to be released on anticipatory bail on their furnishing bail bonds amounting to ₹10,000/- with one surety of like amount each, subject to the satisfaction of the trial Court.

May 03, 2017
Kang

(A.B. CHAUDHARI)
JUDGE