

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

CRM-M-37623-2016

Date of decision: January 17, 2017

Gurcharan Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.S.Sekhon, Advocate
for the petitioners.

Mr. Deep Singh, Assistant Advocate General, Punjab.

Mr. Vikram Satpal Anand, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners, Gurcharan Singh and Paramjit Singh have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.73 dated 14.06.2015, registered at Police Station Mamdot, District Ferozepur, under Sections 302, 323 and 120-B IPC and Sections 307 and 380 IPC added later on.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the petitioners; learned State counsel as well as learned counsel for the complainant and have gone through the record.

From the record, I find that the present petitioners were found innocent during the investigation and kept in column No.2. Now they have been summoned under Section 319 Cr.P.C. They have only to face the trial. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the fact that the petitioners were found innocent during the investigation, I find merit in this petition and the same is allowed. The order dated 17.11.2016, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

January 17, 2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No