

CRM-M-41758-2016

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

CRM-M-41758-2016

Date of Decision: 09.02.2017

Vinod Kumar and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Narinder Singh, Advocate,
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

None for respondent No.2 despite service.

INDERJIT SINGH, J. (Oral)

Petitioners, Vinod Kumar, Ashok Kumar and Rajinder Kumar @ Harjinder Pal have filed this petition under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in complaint case No.55 dated 12.12.2012, titled as 'Inderpal Singh vs. Vinod Kumar etc.', under Sections 452, 427, 506, 504, 148 and 149 of the Indian Penal Code and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, pending in the Court of learned Chief Judicial Magistrate, Mansa.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

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However, none has appeared on behalf of respondent No.2 despite service.

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

From the record, I find that it is a complaint case and the petitioners have been summoned by the court. They have only to appear before the trial Court and are not required for investigation or interrogation purposes.

In pursuance of the interim order dated 22.11.2016 passed by this Court, the petitioners have already appeared before the trial Court and have been released on interim bail.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that trial of the case will take a long time, therefore, no useful purpose will be served by sending the petitioners to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 22.11.2016, granting interim bail to the petitioners, is made absolute.

09.02.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No