

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

**206**

**CRM-M-43853-2017 (O&M)  
Date of Decision: 05.12.2017.**

Sandeep Singh and another

....Petitioners.

Versus

State of Punjab

....Respondent.

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**CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

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**Present:** Mr. P.S. Hundal, Senior Advocate, with  
Mr. Premjit S. Hundal, Senior Advocate for the petitioners.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Mr. M.K. Dogra, Advocate for the complainant.

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**Ramendra Jain, J.(Oral)**

Vakalatnama filed on behalf of the complainant is taken on record.

Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioners in case DDR No.15 dated 04.07.2014 registered under Sections 307, 325, 324, 323 read with Section 34 of the Indian Penal Code (Section 307 IPC added later) in case F.I.R. No.93 dated 21.06.2014 registered under Sections 302, 324, 148, 149 IPC read with Section 25/27/54/59 of the Arms Act, at Police Station Majitha, District Amritsar.

The petitioners were summoned under Section 319 Cr.P.C. on 21.07.2016 as additional accused to face trial alongwith their co-accused under Sections 323, 324, 325 read with Section 34 IPC. Consequently, the

petitioners appeared and they were granted bail and continued facing trial. During pendency, another F.I.R. No.234 dated 01.12.2016 was registered against them and to evade their arrest, they absconded and thus, absented themselves in the instant case. Accordingly, bail bonds and surety bonds of the petitioners were forfeited and they were declared proclaimed offenders. The petitioners approached this Court by filing CRM-M-40690-2017 and vide order dated 31.10.2017, they were directed to appear before the trial with the direction to the trial Court to decide their bail application within a week, which was dismissed and accordingly, the petitioners are in custody since 07.11.2017.

Learned senior counsel inter-alia contends that in the subsequent murder case registered vide aforesaid F.I.R. against the petitioners, they have been placed in column No.II in the final report under Section 173(2) Cr.P.C. as 'innocent'. The petitioners are in custody since last one month. No recovery has to be effected from them. There is a cross version against the complainant.

Considering over all facts and circumstances, but without commenting anything on the merits of the case, the petition is allowed and the petitioners are granted regular bail, during the trial, subject to their furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

**(RAMENDRA JAIN)**  
**JUDGE**

**05.12.2017**  
*jitender sharma*

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No