

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7384-2017(O&M)

Date of Decision:12.07.2017

Tajinder Singh @Gagan & another

.....PETITIONERS

Vs.

State of Punjab

.....RESPONDENT

CRM-M-6640-2017(O&M)

Varinder Singh @ Vicky

.....PETITIONER

Vs.

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Ish Puneet Singh, Advocate for the petitioners
in both cases.

Ms.Rajni Gupta, Sr. DAG, Punjab.

Mr.R.S. Rai, Senior Advocate with
Mr.Karan Pathak, Advocate for the complainant.

SURINDER GUPTA J.(Oral)

Both the petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.82 dated 06.05.2016, registered for the offence punishable under Sections 304, 149 IPC (later on converted to Section 302, 148 and 149 IPC), registered at Police Station Nakodar, Distt. Jalandhar.

Heard.

The petitioners have been summoned by the trial Court after recording statement of Surinder Kaur (PW-1) to face trial as additional accused for offence punishable under Section 302 and in the alternative under Sections 304 read with Section 148 and 149 IPC.

As per the allegation of the prosecution, petitioner along with co-accused, namely, Avtar Singh and Suleman have pushed the husband of the complainant who fell down and died. While appearing as PW-1, complainant has attributed injuries suffered by her husband to petitioner.

It is submitted that trial is in progress and custody of the petitioners is not required by the police. The other two accused, namely, Avtar Singh and Suleman are already on regular bail.

Keeping in view the above facts and without expressing any opinion on the merits of the case, these petitions are allowed and orders dated 03.03.2017 and 28.02.2017 passed in respective petitions are made absolute till the disposal of the trial, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

A copy of this order be placed on the file of other connected matter.

(SURINDER GUPTA)
JUDGE

12.07.2017
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No