

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

207

CRM-M-22778-2018 (O&M)
Date of Decision:- 14.08.2018

Shamsher Singh and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

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

Mr. Nikhil K.Chopra, Addl. A.G. Punjab.

P.B. BAJANTHRI, J.(ORAL)

In the present petition, petitioners seek anticipatory bail under the provision of Section 438 Cr.P.C. in complaint No. RBT/39/2017 dated 13.10.2016 titled as *Bakshish Singh versus Shamsher Singh* under Sections 306, 148, 149 IPC in which petitioner has been summoned to face trial vide summoning order dated 17.02.2018 (Annexure P-5).

2. In the summoning order dated 17.02.2018 Judicial Magistrate Ist Class, Pathankot has apprised the issue relating to suicide note with other documents. How it was transacted including sale deed dated 01.04.2003. That apart, cancellation report was filed by police which was rejected by court vide summoning order dated 17.02.2018. Having regard to the aforesaid development in the complaint to the extent of summoning order read with filing of cancellation report there is no occasion to the petitioners to harm any evidence before the trial court as the matter relates back to the year 2014 and no useful purpose would be served by detaining the accused behind the bar; Therefore, petitioners are entitled to anticipatory bail.

4. In the meanwhile, petitioners are directed to appear before trial court and to join the proceedings.

5. In the event of their appearance, trial court shall release the petitioners on interim bail on their furnishing bail/surety bonds to the satisfaction of the trial court/Duty Magistrate. They will remain bound by the conditions envisaged under Section 438(2) Cr.P.C. Petitioners are further directed to surrender their passports in the court of learned trial court, if they possess, within a period of one week from today. If they have no passport, in that event they will furnish an affidavit to this effect in the trial court.

14.08.2018
pooja saini

(P.B. BAJANTHRI)
JUDGE

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No