

CRM-M-22882-2018 (O&M)

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

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**CRM-M-22882-2018 (O&M).
Decided on: May 25, 2018.**

Money @ Mandeep Kumar and another

.. Petitioners

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.Rahul Bhargava, Advocate,
for the petitioners.**

M.M.S. BEDI, J. (ORAL)

Notice to the Advocate General, Punjab.

On asking of the Court, notice has been accepted by Ms.Manjri Nehru Kaul, Addl. A.G. Punjab. Copy given.

Petitioners had sought the concession of pre-arrest bail which was dismissed by this Court. Thereafter, the petitioners were arrested and released on regular bail. While on regular bail, the prosecution agency sought to add offence under Section 450 IPC as is apparent from the order dated 23.4.2018. A perusal of the order dated 23.4.2018 indicates that the trial Court has observed that it is debatable whether offence under Section 450 IPC, on the basis of the allegations contained in the case, is attracted or not. The trial Court has also observed that appropriate orders with regard to the bail of the accused shall be considered simultaneously at the time of

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hearing of arguments on charge.

This petition is disposed of with a direction that in case the additional charge is framed against the petitioners under Section 450 IPC, the trial Court shall not pass order of taking the petitioners into custody but the petitioners will be given 15 days time to avail the appropriate legal remedy by filing the application for pre-arrest bail on account of fresh appreciation raised on the basis of the framing of additional charge.

(M.M.S. BEDI)
JUDGE

May 25, 2018.
raj arora

Whether speaking / reasoned
Whether reportable:

Yes / No
Yes / No