

Criminal Misc. No. M- 256 of 2018 (O&M)

Date of decision : February 19, 2018

Omkar Singh and others

.....Petitioners

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Pratham Sethi, Advocate
for the petitioners.

Ms. Seena Mand, DAG, Punjab.

Mr. A.P.S. Deol, Senior Advocate with
Mr. Himmat Deol, Advocate
for the complainant.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No. 153 dated 15.11.2014 under Section 304B IPC (police report presented under Section 306 IPC) Section 304B/302 IPC added later) registered at Police Station Nehian Wala, District Bathinda.

Contentions noted on behalf of the petitioners, at the time of issuing notice of motion, read as under:-

“ Learned senior counsel for the petitioners submits that the parents-in-law of the victim who too were summoned to face trial as additional accused on an application under Section 319 Cr.P.C., have been afforded the concession of anticipatory bail by this Court on 15.02.2017 (Annexure P-10). The present petitioners who are the brothers of the father-in-law of the victim and their respective wives, have also been summoned on an application under Section 319 Cr.P.C., to face trial in FIR No. 153 dated 15.11.2014 as additional accused. Petitioners have preferred CRR No. 4338 of 2016, which is pending for 19.02.2018. All the petitioners except Balkar Singh were

afforded exemption from personal appearance in the said matter vide order dated 23.11.2016 (Annexure P-9). However, all the petitioners have now been directed to appear before the learned trial Court vide order dated 22.11.2017 in the above said criminal revision. The petitioners, it is submitted undertake to face the proceedings and appear on each and every date fixed before the learned trial Court.”

It is submitted that the petitioners have appeared before the learned trial Court pursuant to interim order order dated 10.01.2018 passed by this Court. The petitioners undertake to face proceedings and not misuse the concession of anticipatory bail, if confirmed. It is, thus, prayed that this petition be allowed.

Learned counsel for the complainant as well as the State verify that the petitioners have indeed appeared before the learned trial Court pursuant to interim order dated 10.01.2018 passed by this Court.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, interim bail afforded to the petitioners is made absolute subject to their submitting fresh bail bonds and surety to the satisfaction of the learned trial Court.

(Lisa Gill)
Judge

February 19, 2018
rts

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