

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

Criminal Misc. No.M- 41941 of 2017(O&M)

Date of Decision: January 22 , 2018.

Balwinder Singh and another PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Mohinder Kumar, Advocate
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

Mr. D.S.Kahlon, Advocate
for the complainant.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioners in respect to the subsequently added Section 302 IPC vide Rapat No.20 dated 03.08.2017 in FIR No.286 dated 26.09.2016 under Sections 306/34 IPC, registered at Police Station Sultanwind, Amritsar City, District Amritsar.

It is submitted that the petitioners were afforded the concession of anticipatory bail by this Court on 27.02.2017 in CRM No.M-38748 of 2016 (Annexure P4). Thereafter Section 302 IPC has been added on 03.08.2017 after

about eleven months of the registration of the FIR (Annexure P5). The petitioners who are parents of the co-accused Akashdeep Singh have not misused the concession of anticipatory bail granted by this Court. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Parduman Kumar, verifies that the petitioners have joined investigation. They are not involved in any other criminal case.

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 before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. In case of arrest of the petitioners in FIR No.286 dated 26.09.2016 in respect to the added offence punishable under Section 302 IPC, they shall be released on bail to the satisfaction of the Arresting/Investigating Officer. Petitioners shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

January 22 , 2018.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No