

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

**CRM-M No.3435 of 2019 (O&M)
Date of decision : 14.03.2019**

Hassanpreet Singh Dhindsa & anr.

..... Petitioners

Versus

The State of Punjab & anr.

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. G.S.Brar, Advocate
 for the petitioners.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

Mr. Nandan Jindal, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioners under Section 438 Cr.P.C. in case FIR No.123 dated 13.11.2015 registered under Sections 307/324/341/506/148/149/325/326/201 IPC at Police Station Amargarh, District Sangrur as the petitioners have been summoned under Section 319 Cr.P.C. by the trial Court vide order dated 18.12.2018 only under Sections 307/326/325/324/341/201/148 IPC.

Learned counsel for the petitioners has argued that originally the petitioners were found innocent by the police and have now been summoned under Section 319 Cr.P.C. They are ready to face the trial and in case they are found guilty they would be liable to suffer whatever punishment is imposed upon them but at this stage there would be no useful purpose in putting them in jail and that would rather tantamount pre-trial punishment.

Learned counsel for respondent No.2 has argued that the petitioners were specifically named in the FIR and it was only because of extraneous considerations that the police had originally found them to be innocent.

Be that as it may, the fact remains that the investigation is complete and the trial is under way. In case the petitioners are found guilty they would be liable to face whatever punishment is imposed upon them but at this stage, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners. In my opinion, once it is not disputed that the petitioners were summoned under Section 319 Cr.P.C. and they are willing to face the trial no useful purpose would be served by sending them to pre-trial custody.

Consequently the petition stands disposed of and the trial Court is directed to grant bail to the petitioners to its satisfaction.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

14.03.2019
Pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No