

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5550-2019

Date of Decision: 02.04.2019

Harpreet Singh and others

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Manbir Singh Basra, Advocate for the petitioners.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0064 dated 14.04.2018, registered at Police Station Dina Nagar, District Gurdaspur, under Sections 306/34 of the Indian Penal Code, 1860.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

As per the prosecution version, the present petitioners have not been challaned by the police, but now they have been summoned by the trial Court under Section 319 Cr.P.C. to face the trial along with the accused already challaned.

The petitioners are not required for any investigation or custodial interrogation as they are only to face the trial. The petitioners

have already appeared before the trial Court in compliance of interim order passed by this Court and have been released on interim bail. No useful purpose would be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 28.02.2019, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

02.04.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No