

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-27034 of 2019
Date of Decision: 24.10.2019

Daler Singh and another

....Petitioners

VERSUS

State of Punjab and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Pradeep Singh, Advocate
for Mr. Mohd. Yousaf, Advocate
for the petitioners.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

Mr. Pawan Kumar, Sr. Advocate with
Mr. Surya Kumar, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in Complaint Case 37 dated 03.03.2015 filed for offences punishable under Sections 342, 506, 365, 323 read with Section 34 of Indian Penal Code, titled "Jaswant Singh vs. Mahinder Singh etc., pending in the Court of ACJM, Barnala, arising out of FIR No. 38 dated 12.02.1995, registered for offences punishable under Sections 342, 506, 365, 323 read with Section 34 IPC, at Police Station City Barnala, District Barnala.

Heard.

Learned counsel for petitioners submits that petitioners have surrendered before the trial Court and have been allowed interim bail in terms of order dated 18.06.2019.

Learned counsel for the complainant submits that incident

relates to the year 1995 and the police has not taken any action against the petitioners and submitted the cancellation report. The Court ordered reinvestigation in the year 2007 but no further action was taken.

The facts submitted by learned counsel for the complainant will be seen by the trial Court.

Keeping in view nature of offence for which they have been summoned and that it is a complaint case in which custodial interrogation of petitioners is not required, this petition is allowed and order dated 18.06.2019 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall keep on appearing before trial Court regularly;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.

October 24, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No