

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

207

CRM-M-45135-2021 (O&M)

Date of Decision: 17.03.2022

Sohan Lal and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Pawandeep Singh, Advocate, for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab
with ASI Rakesh Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.7 dated 22.04.2010 at Police Station Chabbewal, Hoshiarpur, under Sections 302/34 IPC.
2. At the time of issuance of notice of motion on 28.10.2021, the following order was passed:

“Learned counsel for the petitioners contends that the complainant had initially filed FIR No. 7 dated 22.4.2010, Police Station Chabbewal, District Hoshiarpur, under Sections 302, 34 IPC wherein the petitioners have been named as accused. It has been submitted that upon investigation of the case, the police filed an ‘Untraced Report’ which was not accepted by the learned Magistrate. It has been submitted that protest petition filed on behalf of the complainant was ordered to be treated as a complaint and the Magistrate further directed the police to file a challan. However, the said order particularly as regards the direction to file a challan was challenged in this Court by

the accused wherein the said specific direction was set aside vide order dated 28.5.2019 (Annexure P-6) passed by this Court and consequently the matter is proceeding as a private complaint which led to the petitioners nurse an apprehension regarding his arrest. Learned counsel has further submitted that the petitioners in any case have been cooperating with the investigation of the case and that they would not ever flee from justice. Learned counsel has further submitted that while the petitioner No.1 is bed-ridden, petitioner No.2 is handicapped inasmuch as his arm is amputated.

Notice of motion for 17.3.2022.

The petitioners are directed to appear before the learned trial Court within a week from today. Upon their appearance before the trial Court, they shall be released on interim bail subject to their furnishing bail bonds and surety bonds to its satisfaction.”

3. Learned counsel for the petitioners has today passed on a copy of order dated 01.11.2021 indicating that the petitioners had appeared before the trial Court and had furnished bail bonds and surety bonds, which were duly accepted.
4. The aforestated position is not disputed by the learned State counsel.
5. In views of the reasons already recorded in the order dated 28.10.2021, as reproduced above and the fact that the petitioners had appeared before the trial Court and had furnished bail bonds and surety bonds, the petition is accepted and the interim directions issued by this Court vide order dated 28.10.2021 are hereby made absolute subject to the condition that the petitioners shall regularly appear before the trial Court.

6. Needless to mention, the trial Court would be at liberty to impose any condition upon the petitioners so as to ensure their regular appearance during the proceedings of trial.

17.03.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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