

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

CRM-M-3341-2023

Date of Decision: 08.02.2023

Ajaib Singh and others

....Petitioners

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ankur Bansal, Advocate
 for the petitioners.

Mr. Virat Rana, A.A.G., Punjab.

ANOOP CHITKARA, J.

This is the third anticipatory bail application filed in a case bearing FIR No.103 dated 08.11.2010 under Sections 307, 323, 324, 326, 325, 201, 148 & 149 of IPC, registered at Police Station Lambra, District Jalandhar (Section 307 IPC deleted later on), which is objected by the State counsel by submitting that third application for anticipatory bail is not maintainable and nor this Court has any jurisdiction to deal with the same.

Counsel for the petitioners submits that accused and the complainant are related to each other because their children have married and in case the bail is not granted, it might impact their relationship which has now on a much better footing and their previous enmity has been buried.

When this Court is not inclined to grant anticipatory bail to the petitioners, counsel seeks permission to file petition for bail under Section 439 Cr.P.C. with prayer of interim bail directly before this Court without surrendering.

Given above, the present petition is disposed of with liberty to the petitioners to file a separate bail petition under Section 439 Cr.P.C. straightway before this Court with a prayer for interim bail in the same.

It is further clarified that in case any such petition is filed, the Registry shall not raise any objection with regard to surrender of petitioners.

08.02.2023

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(ANOOP CHITKARA)

JUDGE

Whether speaking/reasoned

Yes/no

Whether reportable?

Yes/no