

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-22109-2023 (O&M)

Date of decision: 27.07.2023

Manga Mattu and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bhriugu Dutt Sharma, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.137, dated 07.08.2021, under Sections 307, 324, 341, 148, 149, 109 of IPC (offence under Section 302 IPC added later on), registered at Police Station Shahkot, District Jalandhar.

2. On 02.05.2023, while noticing the following submissions made by the learned counsel for the petitioners, this Court had directed the petitions to appear and surrender before the Trial Court on or before 09.05.2023:

“Learned counsel appearing for the petitioners contends that the petitioners were found innocent during investigation and placed in Column No.2. During the trial, an application under Section 319 Cr.P.C. was moved by the prosecution and as a result of which, the petitioners have now been summoned to face trial as an additional accused. Learned counsel thus, submits that there is genuine apprehension on the part of the petitioners that they could be arrested and sent to custody when they appear before the trial Court on the next date of hearing, i.e., 09.05.2023.”

3. Learned counsel for the petitioners submits that in compliance of order dated 02.05.2023, the petitioners appeared before the Court concerned and thereafter they were admitted to interim bail on their furnishing the requisite bail bonds. In support, learned counsel has placed on record photocopies of orders dated 05.05.2023 and 05.06.2023 passed by learned Additional Sessions Judge, Jalandhar.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioners having appeared and surrendered before the Trial Court and thereafter admitted to interim bail.

5. In view of the above, the petition is allowed and interim order dated 02.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

27.07.2023
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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