

CRM-M-54349-2022 (O&M)

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

**CRM-M-54349-2022 (O&M)
Date of Decision:-18.01.2023**

Rishi Kapoor and Anr.

.....Petitioners

Versus

State of Punjab and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Umesh Aggarwal, Advocate for the petitioners.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

ALOK JAIN, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioners in complaint COMI No.944/2018 dated 15.11.2018 and 16.11.2018 pending adjudication before Learned JMIC at Amritsar, under Sections 406, 498-A, 420, 494 and 34 of IPC, registered at Police Station Islamabad, Amritsar.

Learned counsel for the petitioners submits that the allegation leveled in the complaint is vague and the ingredients of Section 498-A and 494 of IPC are not made out. He further submits that the Sessions Judge has dismissed his anticipatory bail application on one of the ground that the petitioners were preceded as proclaimed offender, and in case, they are released, they can again misuse the same.

That vide order dated 18.01.2023 in CRM-M 49314 of 2022, the impugned order dated 08.07.2022 whereby the petitioner has been declared as Proclaimed person, has been stayed.

Therefore, in the light of the above, the petitioners are directed

CRM-M-54349-2022 (O&M)

to surrender before the Court below within 05 days and may if so advised apply for bail in the changed circumstances, especially the fact that the order dated 08.07.2022 whereby, the petitioners were declared proclaimed person has been stayed by this Court.

Learned Trial Court is directed to decide the bail application, on its own merits in accordance with law, expeditiously but not later than 05 days. However, the above is subject to cost of ₹ 10,000/- to be paid by each of the petitioner. The cost shall be deposited in the following account:

-

Account Name – Punjab and Haryana High Court Bar Association Lawyer's Family Welfare Fund.

Account No. - 41564846387

Bank Name – SBI High Court Branch.

Disposed off accordingly.

(ALOK JAIN)
JUDGE

18.01.2023
manju

Whether speaking/reasoned:- Yes/No
Whether Reportable:- Yes/No