

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.55202-M of 2007

Date of Decision: 31.12.2007

Raman Kumar & another

..... Petitioners

Versus

State of Punjab

..... Respondent

Before: Hon'ble Mr. Justice Rajesh Bindal.

**Present: Mr. Sanjiv Gupta, Advocate for the petitioner.
Mr. Shilesh Gupta, DAG, Punjab.**

Rajesh Bindal,J

The dispute in the present case is between the members of a kirtan party. There are cross-versions. Both the parties have lodged FIRs. The FIR filed by the petitioner is prior in time as compared to the FIR filed by the respondent. Even before the learned Additional Sessions Judge, Hoshiarpur, it is noticed that the petitioners had joined investigation, however, finally anticipatory bail was denied to them for the reason that recovery of weapon was yet to be effected.

The learned counsel for the petitioner states that in fact the whole episode narrated by the complainant is to counter the FIR lodged by them. In fact they have not been attributed any injury and they were not involved in the fight. He submits that the primary dispute in the present case is only regarding sharing of money between the members of the kirtan party. The petitioners are still ready to cooperate with the investigation in whatever manner it is desired in accordance with law.

The learned counsel for the State objects to the grant of anticipatory bail only on the ground that the weapons have not been recovered.

After hearing learned counsel for the parties, in view of the factual matrix mentioned above, I am satisfied that a case for anticipatory bail is made out. In the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer. The petitioner shall comply with the provisions of Section 438(2) of the Code of Criminal Procedure.

Petition is disposed of.

(Rajesh Bindal)
Judge

31.12.2007
sk/sarita