

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

CRM-M 32337 of 2011

Date of decision : November 30, 2011

Balwinder Singh and another,

..... Petitioners

v.

State of Punjab and another,

..... Respondents

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**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

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Present : Mr. P.S.Sekhon, Advocate  
for the petitioners.

Mr. S.S.Gill, DAG Punjab

Mr. Vikas Sharma, Advocate  
for the complainant.

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1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

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AJAY TEWARI, J (Oral)

The petitioners seek grant of anticipatory bail in case FIR No.138, dated 15.9.2011, registered under Sections 382, 149 of the IPC at Police Station Morinda, District Ropar.

Counsel for the complainant/respondent No.2 has accepted the fact that the tractor has been handed over to the complainant and that he would have no objection to hand over a brand new tractor to the petitioners in case the story is found to be correct. He has, however, expressed apprehension that the petitioners are likely to misuse the concession of bail by trying to influence the evidence and in corroboration thereof, he has read

out the order of the learned Sessions Court who came to this conclusion.

However, at this stage in view of the development mentioned above, I am not inclined to withdraw the order of protection given to the petitioners. Consequently, this petition is allowed and in the event of their arrest, the petitioners shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the conditions as laid down in Section 438(2) of the Cr.P.C, and further subject to the condition that in case the petitioners try to influence the evidence or the witnesses, this petition for bail would be liable to be dismissed.

November 30, 2011.

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( AJAY TEWARI )  
JUDGE