

S U P R E M E    C O U R T    O F    I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).6146/2009

(From the judgement and order dated 21/07/2009 in CRLM No. 16489/2009 of the HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

AVTAR SINGH

Petitioner(s)

VERSUS

STATE OF PUNJAB

Respondent(s)

(With appln(s) for exemption from filing O.T., anticipatory bail)

WITH SLP(Crl) NO. 6185 of 2009

(With appln(s) for anticipatory bail and office report)

Date: 04/09/2009      This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)      Mr. Amit Dhawan, Adv.  
In SLP 6146/09      Mr. Samar Vijay Singh, Adv.for  
                                 Mr. Jagjit Singh Chhabra, Adv.

For Petitioner(s)      Mr.Hiren Dasan, Adv.  
In SLP 6185/2009      Mr. Rajnish Gupta, Adv.  
                                 Mr. Dhiren Srakar, Mishra, Adv.for  
                                 Mrs Sarla Chandra, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Heard learned counsel for the petitioner(s).

No case for grant of anticipatory bail is made out.

The Special Leave Petitions are dismissed. However, we wish to reiterate that inherent in the power to grant bail is the power to grant interim bail pending final disposal of the bail application. This is in view of Article 21 of the Constitution of India which guarantees the right of reputation to every person.

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Hence, the petitioners may apply for regular bail along with an application for interim bail. If such an application is filed, the trial Court is directed to decide the interim bail application, pending final disposal of the bail application, on the same day on which it is filed and on its own merits in accordance with law. We make it clear that this shall not be taken as an expression of opinion as if we are inclined or not inclined to release the petitioners on bail.

(Parveen Kr. Chawla)  
Court Master

(Indu Satija)  
Court Master