

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

CRM-M-15326-2016 (O&M)

Date of decision : 11.08.2016

Nikhil Beri and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Karan Nehra, Advocate for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Mohan Lal.

Mr. Vipin Mahajan, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in case FIR No.41 dated 10.04.2016, registered under Sections 406 and 420 of the Indian Penal Code, at P.S. City Dhariwal, Distt. Gurdaspur.

Heard.

On 05.05.2016, the following order was passed:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.41 dated 10.04.2016, under Sections 406/420 of the Indian Penal Code, registered at Police Station Dhariwal, District Gurdaspur.

Counsel would contend that the allegations are completely baseless and motivated and the same have been levelled only on account of a matrimonial alliance having not fructified. It is submitted that the

petitioners are otherwise ready and willing to join investigation.

Notice of motion, returnable for 11.08.2016.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 05.05.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

11.08.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No