

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

CRM-M -25982 of 2016 (O&M)

Date of decision: 08.11.2016

Gurmail Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.S. Sidhu, Advocate for the petitioners.

Mr. Mehardeep Singh, Addl. A.G., Punjab
assisted by HC Sarabjit Singh.

Mr. J.S. Grewal, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.12 dated 15.02.2016, registered under Sections 420, 465, 467, 468, 471, 506 and 120-B, at Police Station City-II Abohar, District Fazilka.

On 31.08.2016, this Court had passed the following order:-

“Contends that complainant-Lachhman Singh is the uncle of the main accused, namely, Rajinder Kaur Rozi and prior to the registration of the present FIR, the complainant had made a representation (Annexure P-1), which was found to be without any substance. Subsequently, on the

same facts the present FIR has been registered. The petitioners are the parents of main accused, Rajinder Kaur Rozi, who is in custody and disowned by them before the registration of the FIR as noticed in Annexure P-4, the publication carried out by petitioner No.1.

Notice of motion.

At this stage, Ms. Harsimrat Rai, DAG, Punjab accepts notice on behalf of respondent-State. A complete set of paperbook has been handed over to her in the Court.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to the following conditions:

- 1. That they shall make themselves available for interrogation by a police officer as and when required;*
- 2. That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That they shall not leave India without previous permission of the Court.*

Post again on 08.11.2016.”

It is contended that in pursuance of the order dated 31.08.2016, the petitioners have joined the investigation

The learned State counsel, on instructions submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

The learned counsel for the complainant informs that in CRM-M-27908-2016, the learned counsel for the petitioner made a statement, on instruction from husband of main accused Rajinder Kaur @ Rozy before this Court that he will pay another Rs.2 lacs within two months. The undertaking made has not been honoured.

Heard.

The petitioners are parents of co-accused Rajinder Kaur @ Rozy. The undertaking so made cannot be read against the petitioners. 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 31.08.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

08.11.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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