

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

CRM-M -32952 of 2016 (O&M)
Date of decision: 10.11.2016

Tarsem Kaur and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Balbir Singh, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Jarnail Singh.

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.115 dated 21.07.2016, registered under Sections 406, 420 and 120-B of IPC, at Police Station City Nawanshehar.

On 19.09.2016, this Court had passed the following order:-

“Learned counsel contends that no cause of action has arisen in favour of the complainant since the target date for execution of the sale deed in pursuance of agreement to sell Annexure P-2 dated 14.02.2015 is yet to arrive. There is a specific recital in the agreement to sell that petitioners shall transfer the land in favour of the complainant after necessary sanction and there is further a condition that actual agreement date could not be extended and in case the petitioners fail to execute the agreement in question, they are bound to repay the double of the amount. The petitioners are ready and willing to execute the sale

deed in pursuance of the agreement to sell in question.

Notice of motion for 10.11.2016.

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 prior permission of the Court. ”

It is contended that in pursuance of the order dated 19.09.2016, 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.

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 19.09.2016, 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.

10.11.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No