

Sr. No.208

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-6854 of 2016 (O&M)

Date of Decision: 23.05.2016

Nawab Ali @ Nabbi and another

... Petitioners

Versus

State of Punjab

... Respondent

CRM No.M-8542 of 2016 (O&M)

Jamil @ Jeela @ Bola

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. P.S.Sekhon, Advocate,
for the petitioners in CRM No. M-6854 of 2016.

Mr. Saqib Ali Khan, Advocate,
for the petitioner in CRM No. M-8542 of 2016.

Mr. K.D. Sachdeva, Additional A.G., Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of CRM Nos. M-6854 of 2016 titled as Nawab Ali @ Nabbi and another Vs. State of Punjab and CRM No.M-8542 of 2016 titled as Jamil @ Jeela @ Bola Vs. State of Punjab as these two connected petitions arise out of same FIR i.e. FIR No.103 dated 16.12.2015, under Sections 457, 380 of Indian Penal Code, registered at Police Station Malerkotla City-II, District Sangrur seeking concession of anticipatory bail

to the petitioner(s) herein.

While issuing notice of motion, the following order was passed by this Court on 26.02.2016 in CRM No.M-6854 of 2016:-

“Counsel would submit that the allegations against the present petitioners of having stolen 6 buffaloes on the intervening night of 20/21.10.2015 are solely based on suspicion.

Notice of motion, returnable for 23.05.2016.

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.”

Likewise, notice of motion order passed in CRM No.M-8542 of 2016 on 11.03.2016 reads in the following terms:-

“Counsel would place reliance upon the order dated 26.2.2016 passed by this Court in CRM No. M-6854 of 2016, whereby co-accused Nawab Ali @ Nabi and Mohd. Razzaq have been granted ad interim protection as regards arrest.

Notice of motion, returnable for 23.5.2016.

To be listed along with CRM No. M-6854 of 2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he

shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

State counsel upon instructions from ASI Nirbhai Singh apprises the Court that the petitioner(s) in these two connected petitions have since joined investigation.

Both the petitions are allowed. Orders dated 26.02.2016, passed in CRM No.M-6854 of 2016 and order dated 11.03.2016, passed in CRM No.M-8542 of 2016 are made absolute.

Petitions disposed of.

23.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**