

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

CRM-M -9323 of 2016 (O&M)

Date of decision: 05.09.2016

Deepak Kumar and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioners.

Mr. Harsimrat Rai, DAG, Punjab
assisted by ASI Joginder Singh.

Mr. Rajesh Bhatheja, 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.07, dated 13.02.2016, registered under Sections 302, 392, 201, 120-B and 379 read with Sections 511 and 34 IPC, at Police Station Kheri Gandian, District Patiala.

On 16.03.2016, this Court had passed the following order:-

“Counsel would refer to an order dated 03.03.2016 passed by this Court in CRM No. M-7818 of 2016 whereby co-accused Mohit Kumar has been granted ad interim protection as regards arrest.

Notice of motion, returnable for 23.05.2016.

To be listed along with CRM No.M-7818 of 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.”

It is contended that in pursuance of the order dated 16.03.2016, 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 16.03.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Patiala.

The petition stands allowed.

05.09.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No