

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

CRM-M-11101 of 2017 (O&M)

Date of decision: 08.05.2017

Tota Singh and another

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Siddharth Gupta, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

Mr. J.S. Sidhu, 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.16 dated 27.2.2017, registered under Sections 447, 511, 506, 379, 148 read with Section 149 of IPC, at Police Station Balianwali, District Bathinda.

On 26.04.2017, the following order was passed by this Court:-

“Learned counsel for the petitioners contends that it is a case of no injury. There is delay of five days in lodging the FIR. The occurrence took place on 22.02.2017 whereas, the FIR was lodged on 27.02.2017.

The petitioners are directed to join the investigation.

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.*

Post again on 08.05.2017.

List along with CRM M-8834 of 2017.”

It is contended that in pursuance of order dated 26.04.2017, 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 26.04.2017, 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.

08.05.2017

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(JITENDRA CHAUHAN)
JUDGE

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