

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

207

CRM-M-3309 of 2017

Date of Decision: May 02, 2017

Asha Rani and another

....Petitioners

vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Jyoti Sareen, Advocate
for the petitioners.

Mr. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioners in F.I.R. No.0006 dated 10.01.2017 under sections 406/420/120-B of the Indian Penal Code, registered at Police Station Division No.5, Jalandhar.

On 02.02.2017, while issuing notice of motion, the following order was passed by this Court:-

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioners in case FIR No.6, dated 10.01.2017, under Sections 406/420/120-B IPC, registered at Police Station Division No.5, District Jalandhar.

Counsel would inter alia contend that the role of the petitioners was that of guarantors for a loan facility availed by Maha Laxmi Steel Corporation which is a proprietorship concern of Rajiv Kumar. In the capacity of such role, the petitioners had also mortgaged certain immovable property. It is contended that such immovable property of the

petitioners is still under mortgage with the bank and has not been sold or alienated. Petitioners otherwise are stated to be ready and willing to join investigation.

Notice of motion, returnable for 02.05.2017.

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 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.”

Learned State counsel upon instructions from ASI Jagdish Lal would apprise the Court that the petitioners have since joined investigation.

Under such circumstances, custodial interrogation of the petitioners, as such, would not be warranted.

Prayer made in the present petition is accepted.

The order dated 02.02.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.05.2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No