

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

**Crl. Misc. No.M-38076 of 2016 (O&M)
Date of Decision: July 24, 2017**

Kamaljit Singh Sidhu and another

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gurcharan Dass, Advocate
for the petitioner (s).

Ms. Rajni Gupta, Senior D.A.G. Punjab.

Mr. Ishaan Bhardwaj, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 94 dated 24.09.2016 registered for the offences punishable under Sections 420, 465, 467, 468, 471 read with Section 120-B of Indian Penal Code at Police Station Shaheed Bhagat Singh Nagar, Ludhiana.

Heard.

Learned State counsel on instructions from ASI Sukhminder Singh submits that the petitioners have joined the investigation which is still in progress but the custodial interrogation of petitioners is no more required for further investigation.

In view of submission made by learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 24.10.2016 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

On the presentation of challan, learned Magistrate after perusing the record will pass appropriate order regarding the amount of ₹15 lakh, which has been put at the disposal of learned Chief Judicial Magistrate, Ludhiana. After receipt of police report, if it is found that this money requires to be returned to the complainant, necessary order will be passed to this effect. If the court feels that this money is required to be retained for some more period to enable it to reach some logical conclusion, the same will be invested in fixed deposit, which will be extended from time to time.

(SURINDER GUPTA)
JUDGE

July 24, 2017
Jyoti-II

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No