

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

CRM No. M-38873 of 2016 (O&M)

Date of Decision: 18.09.2017.

Tarsem Masih and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Tarun Vir Singh Lehal, Advocate,
for the petitioners.

Mr. AS Gill, Sr. DAG Punjab
assisted by ASI Parlad Singh.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438
the Cr.P.C seeking anticipatory bail in case FIR No. 117 dated
13.10.2016 registered under Sections 498-A, 406 and 323 IPC at Police
Station Dhariwal, District Gurdaspur.

On 27.10.2016 this Court had passed the following
order:-

“Learned counsel, inter alia, contends that the petitioners are
parents-in-law of the complainant and the allegations levelled
against them are general in nature.

On oral request of learned counsel for the petitioners,
complainant-Anju Bala daughter of Bhappi Masih, resident of
Mishan Compound Gurdaspur, District Gurdaspur is
impleaded as respondent No.2.

Subject to deposit of Rs.25,000/- as litigation expenses before the Registry of this Court, notice of motion be issued to the respondents for 08.02.2017.

Meanwhile, the petitioners are directed to join the investigation as and when called by the Investigating Officer. In the event of their arrest, they shall be released on bail by the Investigating Officer on their furnishing bail bonds/sureties to his satisfaction, subject to the following conditions, as envisaged under Section 438(2) Cr.P.C:-

(i) a condition that the persons shall make themselves available for interrogation by a police officer as and when required;

(ii) a condition that the persons 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 them from disclosing such facts to the Court or to any police officer;

(iii) a condition that the persons shall not leave India without the previous permission of the Court.

(iv) such other condition as may be imposed under sub section (3) of Section 437, as if the bail was granted under that section.”

It is contended that in pursuance of the order dated 27.10.2016, the petitioners have joined the investigation. It is further submitted that the wife has joined her matrimonial home and the matter has been compromised.

Learned State counsel, on instructions, states that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of above, the order dated 27.10.2016 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioners to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

18.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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