

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

**Crl. Misc. No.M-43082 of 2016 (O&M)
Date of Decision: April 17, 2017**

Kirpal Singh and another

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: None for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 116 dated 25.07.2016. registered for the offences punishable under Sections 406, 420 of Indian Penal Code (for short 'IPC') at Police Station Sadar Tarn Taran, District Tarn Taran.

Heard.

Learned State counsel submits that the petitioners have joined the investigation and the police is looking into the averments that the vehicle was not taken superdari by them and their signatures were forged. The combine harvester in question, is no more in existence, as it has already been sold in scrap by the subsequent vendor, as such, custodial interrogation is not required.

In view of the submission made by learned State counsel and without expressing any opinion on the merits of the case, this petition is allowed and the order dated 02.12.2016 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.

April 17, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No