

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

CRM-M-42343-2015 (O&M)

Date of decision: 22.08.2017

Paramjit Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. S.P.S. Sidhu, Advocate,
for the petitioners.

Mr. Abhaypal Singh Gill, Asstt. A.G., Punjab.

Mr. Arshdeep Singh Brar, Advocate,
for the complainant.

JAISHREE THAKUR, J. (ORAL)

The instant petition under Section 438 Cr.P.C. has been filed by the petitioners for grant of anticipatory bail in case FIR No. 105 dated 29.10.2015 under Sections 406 & 498-A IPC, registered at Police Station Badhni Kalan, District Moga.

Learned counsel for the petitioners at the very outset submits that petitioner No.1 i.e. Paramjit Singh, father-in-law of the sister of the complainant, has since expired.

In view of the fact that petitioner No.1 is no longer alive, petition qua him does not survive.

This Court was pleased to pass the following order on 15.12.2015 :-

“Learned counsel for the petitioners contends that the petitioners are ready to bear all the expenses incurred till today and to be incurred in

future on the treatment of sister of the complainant. Learned counsel further contends that the petitioners just to show their bonafide are ready to deposit an amount of ₹ 10 lacs.

Notice of motion.

Mr. Arshdeep Singh Brar, Advocate, who is present in Court accepts notice on behalf of the complainant and seeks some time to get instructions in the matter.

Meanwhile, in the event of arrest, the petitioners shall be released on interim anticipatory bail to the satisfaction of the Investigating Officer subject to handing over a draft in the sum of ` 10 lacs in the name of sister of the complainant. They shall join the investigation as and when required by the Investigating Officer. They shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioners shall make themselves available for interrogation by a police officer 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 case 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 previous permission of the Court. To come up on 28.1.2016."*

Learned counsel for the State submits that pursuant to the order dated 15.12.2015, the petitioner No.2 has joined investigation.

Since the petitioner No.2 has joined the investigation, the petition is allowed and interim order dated 15.12.2015 is hereby made absolute subject to the condition that petitioner No.2 will join the investigation as and when required by the police; will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

22.08.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes.
Whether reportable	No.