

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

CRM-M-9335 of 2017 (O&M)
Date of decision: 10.05.2017

John and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Prateek Pandit, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.35 dated 22.02.2017, registered under Section 420 of IPC and Section 7 of Essential Commodities Act, 1955, at Police Bhargo Camp , District Jalandhar.

On 20.03.2017, the following order was passed by this Court:-

“Learned counsel contends that the petitioners were not arrested from the spot. They are neither the owner nor the gas cylinders allegedly the subject matter of the case were in the effective custody of the petitioners. He further contends that the petitioners are not involved in any other FIR.

Notice of motion for 10.05.2017.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to

the following conditions:-

- 1. That they shall make himself available for interrogation by a police officer as and when required;*
- 2. That they 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 and;*
- 3. That they shall not leave India without prior permission of the Court.”*

It is contended that in pursuance of order dated 20.03.2017, the petitioners have joined the investigation.

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

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 20.03.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

10.05.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No