

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15311-2018
Date of decision:17.5.2018

Mindo @ Mahinder Kaur and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pankaj Bali, Advocate
for the petitioners.

Mr. Harbir Singh Sandhu, AAG, Punjab
for the sole respondent.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition under Section 438 of the Criminal Procedure Code ('Cr.P.C.' - for short) has been filed by the petitioners for grant of anticipatory bail in FIR No.9 dated 14.9.2011 under Sections 302, 201, 218, 120-B of the Indian Penal Code ('IPC' - for short) registered at Police Station State Crime, SAS Nagar Mohali.

This Court while issuing notice of motion on 17.4.2018 passed the following orders:-

“It is contended by learned counsel for the petitioners that neither the petitioners were named in FIR No.9 dated 14.09.2011; nor they were arrayed as accused in a report

under Section 173 Cr.P.C. and even till date they have not been declared as proclaimed offender.

Notice of motion for 17.05.2018.

In the meanwhile, the petitioners are directed to join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail till the next date of hearing on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from Inspector Kulwant Singh has submitted that the petitioners have joined investigation in this case on 14.5.2018 and their custodial interrogation is not required anymore.

Since the FIR was registered on 14.9.2011 and they have joined the investigation.

In the light of above circumstances, interim bail granted to the petitioners vide order dated 17.4.2018 is made absolute subject to following conditions envisaged under Section 438(2) Cr.P.C. :-

- i) they shall make themselves available for investigation by a police officer as and when required;
- ii) 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;

iii) they shall not leave India without the previous permission of the Court; and

iv) they shall surrender their passports before the Investigating Officer if they have got one otherwise to furnish affidavit in that regard.

Petition stands disposed off.

**(MAHABIR SINGH SINDHU)
JUDGE**

17.5.2018
Gaurav Sorot

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |