

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19044-2018 (O&M)

Date of decision: 09.08.2018

Gurdeep Singh and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kamal Narula, Advocate
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.10 dated 06.03.2018 under Sections 379, 148, 149, 506 IPC, registered at Police Station Amir Khas, District Ferozepur.

On 07.05.2018, following order was passed: -

“Counsel for the petitioners has submitted that the concession of pre-arrest bail has already been granted to the co-accused of the petitioners by this court vide order dated 23.04.2018 passed in CRM-M- No.16595 of 2018, by passing the following order: -

“Counsel for the petitioners has submitted that, in fact, a civil suit is already pending between the parties with regard to the property in dispute and Jasbir Kaur, wife of petitioner No.1 has filed a civil appeal before the Additional District Judge, Fazilka which was partly allowed as per the judgment dated 14.09.2017 (Annexure P2). It is further submitted that as per the allegation in the FIR, the petitioners have taken away certain articles and no injury

was caused to any person.

Notice of motion for 09.08.2018.

In the meantime, the petitioners are directed to appear before the Investigating Officer within a period of 10 days to join investigation and they shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. They shall make themselves available for interrogation by a police officer as and when required;*
- 2. 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. They shall not leave India without previous permission of the Court.”*

Notice of motion for 09.08.2018.

In the meantime, the petitioners are directed to appear before the Investigating Officer within a period of 10 days to join investigation and they shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. They shall make themselves available for interrogation by a police officer as and when required;*
- 2. 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. They shall not leave India without previous permission of the Court.”*

Learned counsel for the petitioners submits that in pursuance of the aforesaid order dated 07.05.2018, petitioners have joined the investigation and

are not required for any further investigation.

Learned State counsel, on instructions from ASI Sandeep Kamboj, has not disputed the factual position and states that the petitioners are no more required for any further investigation. It is further submitted that the investigation is complete and the challan is likely to be presented.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 07.05.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

09.08.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No