

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7823 of 2018

Date of Decision: 04.09.2018

Sarla and another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Ghuman, Advocate
for the petitioners.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

None for complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to petitioners in case FIR No.36 dated 07.03.2017 registered for offences punishable under Sections 420 of Indian Penal Code and 13 of the Punjab Prevention of Human Smuggling Act, 2012, at Police Station Sadar Patiala, District Patiala.

Heard.

Learned State counsel on instructions from ASI Gurbhej Singh submits that complainant has effected compromise with petitioners under which they have paid ₹3 lakhs out of the disputed amount. He further submits that petitioners have also joined the investigation, which is still in progress and their custodial interrogation is no more required for the purpose of further investigation of the case.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and

order dated 25.04.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that 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 petitioners shall not leave India without the prior permission of the Court.
- (iv) that petitioners will seek regular bail on the presentation of challan in Court.

September 04, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No