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

CRM-M-8557 of 2019

Date of decision: May 09, 2019

Karnail Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Hoshiar Singh, Advocate for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioners in FIR No.003 dated 08.01.2019, under Sections 379, 427, 447, 511 of Indian Penal Code, 1860, registered at Police Station Sadar Jalalabad, District Fazilka.

On 28.02.2019, this Court has passed the following order:-

“Contends that alleged forest area is five kanals and 400 plants have already been recovered.

Above factual position is not disputed by the learned State counsel, on instructions from ASI Judge Singh. However, he contends that recovery of 100 kgs of fencing wire is to be effected.

Adjourned to 09.04.2019 for further consideration.

In the meanwhile, the petitioners are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer shall 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 Assistant Sub Inspector Judge Singh has submitted that the petitioners have joined investigation in terms of order dated 28.02.2019 and their custodial interrogation is not required.

In view of the above, order dated 28.02.2019 granting interim bail to the petitioners, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

May 09, 2019
mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**