

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

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CRM-M-10681-2019 (O & M)  
Date of Decision:09.05.2019

Kiran and others

...Petitioners

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Rakesh Sobti, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

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**MANOJ BAJAJ, J.(ORAL)**

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.12 dated 19.01.2019 under Sections 353/186/34 IPC, registered at Police Station Mohkampura, Police Commissionerate, Amritsar. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 27.03.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Reply by way of affidavit of Jaspreet Singh, PPS, Assistant Commissioner of Police, East, Amritsar has been filed in the Court and the same is taken on record. Copy thereof has been supplied to counsel opposite.*

*Learned counsel for the petitioners contends that as per the allegations Police Officer had gone to serve the summons where the alleged manhandling took place. According to the learned counsel, the allegations are*

*false particularly when the Police Officers who were allegedly manhandled did not report the matter immediately and gave complaint after a period of two days i.e. on 19.01.2019.*

*Adjourned to 09.05.2019.*

*Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioners have joined the investigation. He further states that the petitioners are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.03.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

09.05.2019  
*sheetal*

**(MANOJ BAJAJ)**  
**JUDGE**

Whether Speaking/Reasoned: Yes/No  
Whether Reportable : Yes/No