

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

**CRM-M No.27458 of 2018 (O&M)
Date of Decision : 29.03.2019**

Hari Krishan @ Hari Kishan & anr.

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Shakti Mehta, Advocate
for the petitioners.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioners under Section 438 Cr.P.C. in case FIR No.153 dated 19.05.2018 registered under Sections 420/387/120-B IPC at Police Station Sultanpur Lodhi, District Kapurthala.

On 11.10.2018 the following contention was noticed :-

“A perusal of Annexure P-6 transpires that the account was joint between Hari Krishan petitioner and his son. It has been submitted that no money has been received by Hari Krishan petitioner.

In this view of the matter, both the petitioners are directed to surrender before the police and join investigation within a week. In the event of their arrest being required, they shall be released on interim bail till the next date, subject to their furnishing bonds to the satisfaction of Arresting Officer. However, they shall abide by the terms and conditions as

envisaged under Section 438(2) (i) to (iv) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.”

Learned State counsel on instructions from HC Harjinder Singh accepts the fact that the petitioners have joined the investigation and are no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioners.

Resultantly, the petition is allowed. The interim order dated 11.10.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

29.03.2019
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No