

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

CRM-M No.20048 of 2019 (O&M)

Date of Decision: 23.07.2019

Kashmira Masih and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Harminder Singh, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab for the respondent/State.

Mr. Dheeraj Mahajan, Advocate for the complainant.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case bearing FIR No.19 dated 05.03.2019, under Sections 420 and 120-B of the Indian Penal Code, 1860 (*for short 'IPC'*) [Sections 467, 468 & 471, IPC added vide order dated 31.05.2019], registered at Police Station Dera Baba Nanak, Gurdaspur.

This Court, on 27.05.2019, passed the following order:-

“ Deputy Commissioner, Gurdaspur shall depute some responsible revenue officer(s) and submit a report regarding Ownership Certificate/Report dated 23.09.2015 (P-2), purported to have been made by Tehsildar, Dera Baba Nanak.

Needful be done within three weeks from today.

Adjourned to 08.07.2019 for further consideration.

In the meanwhile, the petitioners (in CRM-M-20048-2019) are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail in the present case 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.

Photocopy of this order be placed on the connected case(s). ”

Contents that in terms of above order, petitioners have joined the investigation.

Learned State Counsel, on instructions from PHC Rajbir Singh and HC Rajinder Pal, has acknowledged that in terms of order dated 27.05.2019, petitioners have joined the investigation and their custodial interrogation is not required.

In view of above, interim order dated 27.05.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

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

Disposed off accordingly.

July 23, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>