

206

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

CRM-M-43929 of 2018 (O&M)

Date of decision: September 16, 2019

Navjot Kaur and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Dhawan, Advocate for the petitioners.

Mr. H.S. Multani, AAG Punjab.

Mr. G.S. Madaan, Advocate for the complainant.

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 petitioners, in FIR No.150 dated 20.08.2018, under Sections 328, 34 of the Indian Penal Code, 1860 (for short 'IPC') (Section 307 of IPC added later on), registered at Police Station Shahkot, District Jalandhar.

On 05.10.2018, while issuing notice of motion, this Court has passed the following order:-

“Notice of motion for 1.11.2018.

In the meanwhile, 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 loose the benefit of interim bail allowed to them.

At this stage, G.S.Madaan, Advocate, has appeared for the complainant and filed his power of attorney which is taken on record. He prays for time to file reply.”

Learned State counsel, on instructions from police official present in Court to assist him, has stated that in terms of order dated 05.10.2018, the petitioners have joined investigation and their custodial interrogation is not required.

In view of the above, order dated 05.10.2018 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

September 16, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No