

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

**CRM-M-21173-2019
Date of decision-04.09.2019**

Gura Singh and others	Petitioners
	Vs.
State of Punjab	...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Tarun Sharma, Advocate for
Mr. Jatinder Pal Singh, Advocate for the petitioners.

Mr. Hittan Nehra, Addl.AG, Punjab assisted by
ASI Parmender.

MANOJ BAJAJ, J.

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.01 dated 08.01.2019 under Sections 436, 452, 427, 506 and 148 read with Section 149 of Indian Penal Code, 1860 registered at Police Station N.R.I Ferozepur, District Ferozepur. The petitioners apprehend their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 09.05.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

Learned counsel for the petitioners contends that the FIR itself contains the fact of previous dispute between the parties. According to him, previously FIR No.160 dated 19.11.2018, under Sections 323, 324, 34 IPC, registered at Police Station Sadar, Faridkot, was recorded by Palwinder Singh son of petitioner No.1. According to

him, this FIR is false and the allegations regarding setting the curtains in the marriage palace on fire may not constitute an offence under Section 436 IPC.

Notice of motion for 04.9.2019.

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 who is assisted by ASI Parmender does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Parmender 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 09.05.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

04.09.2019

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No