

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

CRM-M No. 22404 of 2019

Date of Decision:-02.09.2019

Kulwant Ram and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Jashandeep Singh Sandhu, Advocate
for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. C.M. Munjal, Advocate
for the complainant.

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. 56 dated 29.4.2019, under Sections 420 and 120-B IPC, registered at Police Station Arniwala, District Fazilka. 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 16.5.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioners contends that
the alleged inducement was at the instance of Amandeep*

and Ravinder, who had promised to facilitate job for the complainant in Punjab Police. Initially the amount was paid to the said persons. It is contended that petitioner Kulwant Ram is brother-in-law of Amandeep and petitioner No.2 is his real sister. It is apprised that the cheques allegedly given by the petitioner in favour of the complainant had bounced and the complaint under Section 138 of Negotiable Instruments Act, 1881 is already pending.

Notice of motion for 02.9.2019.

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 his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner 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 HC Bhajan Lal does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from HC Bhajan Lal 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 16.5.2019 is made absolute.

September 02, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No