

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

CRM-M No.50350 of 2018

Date of decision: 6th March, 2019

Satnam Singh & another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. I.S. Pabla, Advocate for the petitioners.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Mr. Ram Kumar Saini, Advocate puts in appearance and files
his power of attorney on behalf of the complainant.

This order shall dispose off first anticipatory bail application
filed under Section 438 Cr.P.C. by petitioners Satnam Singh and
Smt. Sheel Kaur in case bearing FIR No.75 dated 22.08.2018 registered at
Police Station Naggal, District Ambala under Sections 498-A, 323 IPC.

Learned counsel for the petitioners submits that in
compliance of the orders of interim bail dated 16.11.2018 passed by this
Court, the petitioners have joined investigations. Learned State counsel
on instructions from ASI Karamvir submits that though the petitioners
have joined investigation but cash given to the petitioners amounting to
Rs.6.50 lacs is yet to be recovered and to the similar effect is the
opposition raised by learned counsel representing the complainant.

In the light of what has been stated above, a debatable issue arises if the money given to the accused falls within the terminology of 'Istridhan' or not, which can only be determined at the trial and thus, in the light of orders passed earlier, the interim bail granted to the petitioners vide order dated 16.11.2018 is made absolute on the same terms and conditions. The petitioners shall abide by the conditions specified under Section 438(2) Cr.P.C. till submission of report under Section 173 Cr.P.C. (challan). Thereafter, they will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 6, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No