

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26053-2019

Date of Decision: 20.11.2019

Kulwant Singh and another

.. Petitioners

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Arun Singh, 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 a case FIR No.109 dated 27.04.2019 under Sections 420, 506 and 120-B IPC, 1860 registered at Police Station City Ratia, District Fatehabad. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 03.06.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Counsel for the petitioners states that the matter has been compromised between the parties. He refers to compromise dated 27.05.2019 (Annexure P-3).

Notice of motion.

At this stage, Mr. Arun Singh, Advocate, has put in appearance on behalf of complainant and filed his

vakalatnama, which is taken on record.

List on 24.07.2019.

Meanwhile, in the event of arrest of the petitioners, they shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioners shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down 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 SI Ramesh Kumar does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from SI Ramesh Kumar 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 03.06.2019 is made absolute.

20.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No