IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 26804 of 2019
Date of Decision:-12.09.2019

Happy and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Saurav Bhatia, Advocate
for the petitioners.

Mr. Hittan Nehra, Addl. A.G., Punjab.

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.119 dated 18.5.2019, under Section 379-B IPC, registered at Police Station Kotwali Patiala, District Patiala. 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 14.6.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

"It has been submitted that a wallet containing Rs.1500/- was snatched by some unknown persons.

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Notice of motion for 12.09.2019.

In the meanwhile, petitioners are directed to surrender before the Arresting/Investigating Officer and join the investigation. On doing so, they shall be released on interim bail, subject to their furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them."

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 Baghel Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Baghel Singh 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 14.6.2019 is made absolute.

September 12, 2019 **(MANOJ BAJAJ)**
Vijay Asija **JUDGE**

Whether speaking/reasoned Yes / No
Whether Reportable Yes / No

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