

217(3rd case)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc. No.M-33823-2019

Date of Decision: 10.09.2019

Nanko and another

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.Abhishek Sanghi, Advocate
for the petitioners.

Mr.Sukhbeer Singh, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioners in case FIR No.28 dated 27.04.2019, under Section 365 IPC(Sections 498 and 120-B IPC added later on vide DDR No.21 dated 22.07.2019), registered at Police Station Arif ke, District Ferozepur.

Learned counsel for the petitioners submits that the petitioners are merely serving as domestic help in the house of co-accused Sukhpal Singh alias Nannu. They have been falsely implicated in the present case. Initially the FIR was registered on 27.04.2019 on the statement of complainant Satnam Singh against some unknown persons on the allegations that on 24.04.2019 when he had gone to Mandi to sell his produce, at about 11.30 p.m. he received a phone call from his wife asking him as to at what

time he would be returning home. However, when he returned home at 12.30

a.m. he found his wife missing from home. He apprehends that his wife has been kidnapped by unknown persons.

Vide order dated 21.08.2019 this Court has granted interim bail in favour of the petitioners whereby while adjourning the case for today i.e. 10.09.2019, it was directed that in the event of arrest, the petitioners shall be released on ad-interim bail to the satisfaction of the arresting officer, however, the petitioners were required to join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from the investigating officer, submits that the petitioners have joined investigation and their custodial interrogation is no more required, at this stage.

Accordingly, the present petition is allowed and the interim order dated 21.08.2019 vide which the petitioners were admitted on interim bail is made absolute subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, the petitioners shall not influence the witnesses or the investigating agency in any manner.

(HARI PAL VERMA)
JUDGE

10.09.2019

sunita

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes/No