

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35163-2019

Date of Decision: 20.11.2019

Parmjit Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Balbir Singh Jaswal, Advocate for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Mumtaj Khan, 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.148 dated 27.06.2019 under Sections 306/34 IPC, 1860, registered at Police Station Beas, District Amritsar. 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 28.08.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners relies upon the order dated 19.07.2019 (Annexure P-5) passed by this Court in CRM-M-30375-2019.

Notice of motion for 20.11.2019.

To be heard along with CRM-M-30375-2019.

In the meanwhile, petitioners shall join the investigation and would come present as and when

called for and in the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners 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 SI Joginder Singh does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from SI Joginder 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 28.08.2019 is made absolute.

20.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No