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

CRM-M-42158 of 2019

Date of decision: November 15, 2019

Dharam Pal and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jaswinder Singh Grewal, Advocate for the petitioners.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioners, in FIR No.33 dated 13.05.2018, under Sections 341, 379-B, 323, 34 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Khuhian Sarwar, Tehsil Abohar, District Fazilka.

On 01.10.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that matter was compromised between the parties on 25.12.2018 and a reference is made to Annexure P-4.

Notice of motion for 15.11.2019.

In the meanwhile, the petitioners are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail till the next date of hearing on their

furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

Learned State counsel, on instructions from HC Partap Singh, has stated that in terms of order dated 01.10.2019, the petitioners have joined investigation and their custodial interrogation is not required.

In view of the above, order dated 01.10.2019 granting interim bail to the petitioners, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

November 15, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No