

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

(1)

**Crl. Misc. No.M-2785 of 2018 (O&M)
Date of Decision: August 20, 2019**

Dharam Pal

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

(2)

Crl. Misc. No.M-10791 of 2018 (O&M)

Kamla Devi

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vishal Singh, Advocate for
Mr. J.S. Dadwal, Advocate and
Mr. Keshav Pratap Singh, Advocate
for the petitioner(s) in both the petitions.

Mr. Arpinder Singh Sidhu, AAG Punjab.

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.135 dated 14.12.2017 registered for the offence punishable under Sections 420, 447 read with Section 120-B of Indian Penal Code, at Police Station Kathgarh, District SBS Nagar.

Heard.

Learned State counsel on instructions from ASI Subhash Chand submits that police after completion of investigation has already presented the challan and custodial interrogation of the petitioners is no more required

by the police.

Vide order dated 05.12.2018 passed in this case, report was called from the trial Court as to under what circumstances, regular bail has been allowed to the petitioners during pendency of this petition. As per report of learned Sub Divisional Judicial Magistrate, Balachaur, regular bail has not been allowed to the petitioners so far. They were released on interim bail as per orders of this Court dated 23.01.2018 and 14.03.2018.

Keeping in view the fact that challan against the petitioners has already been presented; trial is in progress and also statement of learned State counsel that custodial interrogation of petitioners is no more required, both the petitions are allowed. Orders dated 23.01.2018 passed in CRM-M-2785-2018 and 14.03.2018 passed in CRM-M-10791-2018 are made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall appear before trial Court on each and every date of hearing, until or unless their presence on any date is exempted;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court;
- (iv) that the petitioners will furnish regular bail bonds as per order of learned trial Court.

August 20, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No