

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

**CRM-M-18725-2020  
Date of Decision 24.8.2020**

Nishan Singh and another

.....Petitioners

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Karanjit Singh, Advocate, for  
Mr. S.P.S. Sidhu, Advocate,  
for the petitioners.

Mr. H.S. Sitta, AAG, Punjab.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

**ARUN PALLI, J. (Oral):**

The petitioners pray for an anticipatory bail under Section 438 of the Code of Criminal Procedure, in FIR No. 0020 dated 28.2.2020, under Sections 376-D/458/506 of the Indian Penal Code, registered at Police Station Kulgarhi, District Ferozepur.

Vide order dated July 15, 2020, a Coordinate Bench of this Court had granted ad interim bail to the petitioner:-

***“It is submitted that the petitioners have been falsely implicated in FIR No. 0020 dated 28.02.2020. Allegations raised by the complainant are regarding commission of the offence on 09.11.2019. Learned counsel submits that there is no explanation as to why no action was taken till the registration of the FIR on 28.02.2020. The complainant, it is submitted, is a married lady with two children and that incorrect, false and baseless allegations have been raised in the FIR, merely on the basis of some suspicion harboured***

AMIT KUMAR  
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I attest to the accuracy and  
authenticity of this document

***by the complainant. The petitioners who are real brothers, it is submitted, are not involved in any other criminal case.***

***Notice of motion for 24.08.2020.***

***Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of respondent-State. Advance copy of the paper book already stands supplied.***

***In the meanwhile, petitioners shall join investigation as and when required by the Investigating Officer. In the event of their arrest, the petitioners shall be released on bail to the satisfaction of Investigating Officer. Petitioners shall comply with the conditions stipulated in Section 438 (2) Cr.P.C.”***

Mr. H.S. Sitta, learned Assistant Advocate General, Punjab, on instructions from SI Jasbir Kaur, Police Station Kulgarhi, submits that petitioners have since joined the investigation on 21.8.2020 and their custodial interrogation is not required.

In the wake of the statement made by learned State Counsel and the fact that the petitioners have joined the investigation, the order dated July 15, 2020, granting ad interim bail to the petitioners, is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C., and shall join the investigation as and when called upon to do so.

The petition stands disposed of, accordingly.

**(ARUN PALLI)**  
**JUDGE**

24.8.2020  
AK Sharma

Whether speaking/reasoned  
Whether reportable

Yes  
No