

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

Criminal Misc.-M No.20119-2020

Date of Decision: November 06, 2020

Teena & another

...Petitioners

Versus

State of U.T.Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

**Present: Mr. Jasbir Singh Dadwal, Advocate,
for the petitioners.**

Mr. A.M.Punchhi, P.P. for U.T.Chandigarh.

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 case FIR No.396 dated 03.11.2019, under Sections 147, 148, 149, 323, 307 and 452 IPC, 1860, registered at Police Station, Sector 39, Chandigarh. The petitioners apprehended their arrest at the hands of police in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 23.07.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“It is contended by the counsel for the petitioners that the case against the petitioners is totally concocted. Even as per the allegations, the petitioners are alleged to be present at the scene of occurrence. The injuries have been attributed to co-accused Ravi. There is no other case against the petitioners.

Notice of motion for 30.9.2020.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided 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 counsel appearing for U.T.Chandigarh does not dispute this fact that the petitioners have joined the investigation. He, on instructions from SI Anil Kumar, 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 23.07.2020 is made absolute.

November 06, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No