

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

CRM-M-30119 of 2019 (O&M)

DATE OF DECISION :- February 19, 2020

Satish Thapar and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Dr. Anmol Rattan Sidhu, Senior Advocate
with Mr. Amandeep Singh Gulati, Advocate for the petitioners.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

CRM No. 5949 of 2020

In terms of the order passed by this Court on the last date of hearing the petitioners have moved an application for impleading complainant as respondent No. 2.

Heard.

Allowed. The amended memo of parties be taken on record.

CRM-M-30119 of 2019

Mr. Sudhir Sharma, Advocate has appeared on behalf of the complainant by filing vakalatnama, which be taken on record.

Learned State counsel on instructions from ASI Gurjit Singh informs that on completion of investigation the challan has since been filed in the Court on 14.2.2020 and the matter is pending trial, therefore, custodial interrogation of the petitioners is not required by the investigating agency.

Though learned counsel for the complainant has contended that allegations of

offence of cheating are there against the petitioners and they should not be granted benefit of the pre arrest bail.

I find that since the challan has been filed and as stated by the State counsel, custodial interrogation of the petitioners is not required, the guilt of the accused shall be determined during the trial, the detention of the accused during the period of trial is not going to serve any useful purpose.

Under such circumstances, the interim bail granted to the petitioners on 26.9.2019 is made absolute, subject to the following conditions :-

- (i) They shall appear in the Court on each and every date of hearing.
- (ii) They shall not give any threat or intimidation to the prosecution witnesses.
- (iii) They shall not leave India without prior permission of the Court.
- (iv) They shall surrender their Passports before the Investigating Officer and if they are not having Passports then shall file the affidavits in that regard.

In case the petitioners violate any term and condition on which the bail has been granted to them, the prosecution would be entitled to apply for cancellation of bail.

The petition stands allowed accordingly.

(H.S. MADAAN)
JUDGE

February 19, 2020

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No