

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No. 35135 of 2019

Date of Decision: January 13, 2020

Ravinder Kumar & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Achin Gupta, Advocate,
for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

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.265 dated 15.11.2018, under Sections 306 and 34 IPC, registered at Police Station City Faridkot. The petitioners apprehended their arrest at the hands of police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 02.09.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“CRM-26196-2019

Application is allowed as prayed for. Annexures P-4 to P-6 are taken on record.

CRM-26198-2019

Application is allowed as prayed for. Main case Learned counsel for the petitioners contends that the civil suit between the parties was already pending which was filed by father of

the petitioners against Sadhu Ram (deceased). According to him, the concession of regular bail is already extended to Hans Raj and his wife Usha Rani (parents of the petitioners). According to him, in the given facts, the custodial interrogation of the petitioners may not be necessary.

Notice of motion for 13.01.2020.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified 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 State counsel does not dispute this fact that the petitioners have joined the investigation. Learned counsel, on instructions from ASI Raj Singh, 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 02.09.2019 is made absolute.

Petition stands disposed off.

January 13, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No