

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

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CRM-M-38935-2019

Date of decision : 28.1.2020

GAURAV GHAI AND ANOTHER**.....Petitioners****Vs.****STATE OF PUNJAB****.....Respondent****Coram: HON'BLE MR. JUSTICE MANOJ BAJAJ.**

Present : Mr. Simranjot Singh, Advocate, for the petitioners.

Ms. Monika Jalota, DAG, 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.147 dated 25.08.2018 under Sections 323, 324, 451, 148, 149 of Indian Penal Code, 1860 (section 326 IPC added lateron), registered at Police Station Basti Bawakhel, District Jalandhar. 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 04.10.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

Notice of motion for 11.11.2019.

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 State counsel who is assisted by ASI Prem Pal does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Prem Pal 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 04.10.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

28.1.2020
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Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No