

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

**CRM-M-53016-2019
Date of decision: 17.01.2020**

Raj Rani Gupta and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Bhavyadeep Walia, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 197 dated 13.09.2019, registered under Sections 306 and 506 of the IPC at Police Station City South Moga, District Moga.

The operative part of the order dated 12.12.2019, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners has produced in Court today an order passed by the learned Sessions Judge, Moga, on 7.12.2019, admitting the wife of the deceased to interim bail, with him pointing out that as per the suicide note, the main allegations were against the wife, with the petitioners being the mother and the brother of the wife. That being so, let notice of motion be issued, returnable on 17.1.2020. In the meanwhile, till the next date of hearing only, upon the petitioners joining investigation and complying with all conditions stipulated in Section 438(2) of the Cr.P.C., if they are sought to be arrested, they shall be released on bail, on their furnishing adequate bail and surety bonds to the satisfaction of the arresting

officer/Ilaqa Magistrate. If the investigating officer does not actually join the petitioners in investigation, they would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join them in investigation, in terms of the order of this Court.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 12.12.2019, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Rashpal, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 12.12.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

17.01.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No