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

**CRM-M-1709-2020
Date of decision-05.08.2021**

SUCHA SINGH & ANOTHER**...Petitioners****Vs.****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Judgepreet Singh Warring, Advocate
for the petitioners.

Mr. Ramandeep Singh Sandhu, Sr. 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.102 dated 06.07.2019 under Sections 341, 379, 506, 109, 148 & 149 Indian Penal Code, 1860 & under Section 25, 27 Arms Act, 1959, registered at Police Station Arniwala District Fazilka. 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 16.01.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that the dispute is pending between the parties and Malkit Singh (co-accused of the petitioner) previously lodged FIR No.96 dated 09.08.2018, under Sections

379,447, 427, 430, 434 and 120-B IPC, Police Station Arniwala (Annexure P-1) against Harjinder Singh, complainant in case FIR No.102 dated 06.07.2019, under Sections 341, 379, 506, 109, 149, 149 IPC and Sections 25, 27 of the Arms Act. He submits that the allegations are of stealing the spade and spray pump.

Notice of motion for 21.05.2020.

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 who is assisted by ASI Kuldeep Singh does not dispute this fact that the petitioners have joined the investigation and they are not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 16.01.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

05.08.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No