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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2919-2020
Date of decision-26.10.2021

SANDEEP KAUR AND ANR

...Petitioners

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Arjun Veer Sharma, Advocate
for the petitioners.

Mr. Ramdeep Partap Singh, 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.264 dated 17.12.2019, under Sections 420, 467, 468, 471, 120-B Indian Penal Code, 1860, registered at Police Station City Jagraon, District Ludhiana. 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 23.01.2020, 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 surety, namely, Rupinder Kaur had not appeared before the Court and in her place, somebody else

appeared as surety for petitioner No.1. The other two persons, namely, Parkash Singh and Jagtar Singh (now deceased), signed as witnesses on the said surety bond furnished at the time of bail. It is pointed out that the petitioners have already joined the investigation and in the given facts, their custodial interrogation may not be necessary.

Notice of motion for 28.04.2020.

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 Darshan 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 23.01.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

26.10.2021

Vipin kumar

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