

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.18119 of 2020

Date of Decision: January 11, 2021

Priyanka Bansal & another

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Naresh Jain, Advocate,
for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. P.S.Ahluwalia, Advocate,
for the complainant.

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.163 dated 17.07.2019, under Sections 406, 420, 465, 467, 468, 471 and 120-B IPC, 1860, registered at Police Station, Phase-I, Mohali, District SAS Nagar. 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 09.07.2020, 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 26.08.2020.

Mr. H.S.Multani, AAG, Punjab accepts notice on behalf of respondent No.1 and submits that Cancellation Report has already been submitted in the matter, but seeks time to have

further instructions.

In the meanwhile, petitioners are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail in the present case till the next date of hearing on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged 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.

On the other hand, learned State counsel, on instructions from ASI Baljinder Singh, states that after completion of investigation, a cancellation report has been prepared, however, the same is yet to be accepted by the higher authorities.

In view of the stand of the learned State counsel, the petition is allowed and the interim bail granted by this Court vide order dated 09.07.2020 is made absolute.

January 11, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No