

216(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31107-2021

Date of decision-07.09.2021

SUKHCHAIN SINGH AND ANR

...Petitioners

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vivek Singla, Advocate
for the petitioners.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

Mr. Shubam Mehta, 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.0073 dated 02.06.2021, under Sections 420 & 120-B Indian Penal Code, 1860, registered at Police Station Sultanwind, District Amritsar. 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 05.08.2021, 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 between the parties has been settled and a petition bearing CRM-M-30203-2021 for quashing of the FIR on the basis of compromise is pending before this Court. According to him, with this development, the custodial interrogation of the

petitioners may not be necessary.

Notice of motion for 07.09.2021.

At this stage, Mr. Shubham Mehta, Advocate appears on behalf of the complainant and does not dispute the above stand of the learned counsel for the petitioner.

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 Kishan 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 05.08.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

07.09.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No