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

CRM-M-28051-2020

Date of decision-22.04.2021

BHAGWAN DASS AND ORS**...Petitioners****Vs.****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Yogesh Kumar Aneja, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

*********MANOJ BAJAJ, J.**

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.182 dated 20.08.2020 under Sections 457, 380 & 447 Indian Penal Code, 1860 registered at Police Station Fazilka, 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 16.09.2020, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Inter alia contends that the alleged occurrence had taken place on 20.03.2020; whereas present FIR is registered after a period of five months i.e. on 20.08.2020.

Notice of motion for 07.12.2020.

In the meanwhile, petitioners will join 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.

Learned State counsel who is assisted by ASI Jatinder Singh does not dispute this fact that the petitioners have joined the investigation but she submits that the recovery of stolen articles is yet to be made.

After hearing learned counsel for the parties, this Court finds that as per FIR dispute between the complainant and petitioner No. 3-Rano Bai was brought before the civil Court and the same has been decided.

Considering above background, the petition is allowed and the interim bail granted by this Court vide order dated 16.09.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

22.04.2021

<i>Vipin kumar</i>	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No