

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: February 19, 2021

Harpreet Kaur & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

Mr. Ramandeep 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.144 dated 13.09.2019, under Section 408 IPC, 1860, registered at Police Station, Dasuya, District Hoshiarpur. The petitioners apprehended their arrest at the hands of police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 09.10.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Learned counsel for the petitioners inter alia contends that the complainant and the petitioners, who are close relations, are having dispute over their property, which is a civil dispute and has been given a tinge of criminality.

Notice of motion for 07.12.2020.

Meanwhile, in the event of arrest, the petitioners be

released on interim bail to the satisfaction of arresting/Investigating Officer. The petitioners shall, however, join the investigation within a period of 15 days and they shall also abide by 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 Rachhpal Singh, does not dispute this fact that the petitioners have joined the investigation. Learned counsel, on instructions, further states that the petitioners are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 09.10.2020 is made absolute.

February 19, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No