

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

CRM-M-39248-2020 (O&M)

Date of decision: 09.04.2021

Subhash Neyol and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. ADS Jattana, Advocate for the petitioners.

Mr. J.S. Ghuman, DAG, Punjab.

Mr. B.S. Aulakh, Advocate for the complainant.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

Learned counsel for the petitioners has contended that the petitioners have since joined the investigation in terms of the direction issue to them, vide order dated 02.12.2020 and have been released on interim bail. It is further contended that the investigating agency has prepared a cancellation report with regard to the FIR in question and such cancellation report has been filed in the Court.

Ld. State counsel, on instructions from SI Ravinder Kumar has conceded this fact, further stating that an SIT was constituted to carry out probe in the matter, which was headed by a police officer of the rank of Superintendent of Police and such SIT has recommended that the present FIR besides two other connected FIRs against the petitioners be

canceled and for that reason, the cancellation report has been prepared and filed in the Court on 16.03.2021. He has further contended that it being so, the custodial interrogation of the petitioners is not required.

Though, learned counsel appearing for the complainant has opposed the request for grant of pre-arrest bail to the petitioners in this case but keeping in view the facts and circumstances of the case and discussion above, I find that the interim pre-arrest bail granted to the petitioners, vide order dated 02.12.2020 deserves to be made absolute.

Accordingly, that order is confirmed, subject to the following conditions:-

1. that the petitioners shall make themselves available for investigation by a police officer as and when required;
2. that they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
3. that they shall not leave India without prior permission of the Court.
4. that they shall surrender their passports before the Investigating Officer and if they are not having passports, then, shall file the affidavits in that regard.

In case, the petitioners violate any terms & conditions, on which the bail has been granted to them, the prosecution would be entitled to apply for cancellation of bail.

The petition stands allowed accordingly.

09.04.2021

sumit.k

(H.S. MADAAN)
JUDGE

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