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

**CRM-M-47460-2019
Date of decision-02.08.2021**

BALDEV SINGH AND ANOTHER**...Petitioners****Vs.****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. N.S. Dandiwal, Advocate for
Mr. D.S. Gill, Advocate
for the petitioners.

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

Mr. Amandeep Chhabra, 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.154 dated 11.10.2019 under Sections 431 & 34 Indian Penal Code, 1860 & under Section 3 of PDP Act, 1985, registered at Police Station Sadar Malout District Sri Muktsar Sahib. 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 07.11.2019, 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 FIR was lodged three months after the decision of the civil suit, which was containing the

same issue as alleged in the FIR. He submits that in the given facts, the custodial interrogation may not be necessary.

Notice of motion for 24.03.2020.

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.

At this stage, Mr. Amandeep Chhabra, Advocate has appeared and filed memorandum of appearance on behalf of the complainant. The same is taken on record.”

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 Kewal 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. Learned counsel for the State further states that challan has also presented in the Court and case is fixed before the trial Court on 14.09.2021 for framing of charges.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 07.11.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

02.08.2021

Vipin kumar

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No