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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-25654-2021 (O&M)
Date of Decision:11.07.2022

Harjinder Kaur and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Rupinder Kaur Thind, Advocate for the petitioner.

Ms. Bhavana Gupta, 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.39 dated 31.05.2018, under Sections 420/494/120-B IPC, 1860, registered at Police Station Sekhwan, Batala, District Gurdaspur. 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 07.07.2021, 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 has argued that though the petitioners filed the petition for pre arrest bail through CRM-M-9921-2021, however, the same was withdrawn by the counsel without even pleading or bringing into the notice of this Court, the facts narrated in the connected petition bearing CRM-M-19236 of 2021 filed by co-accused Hoshiar Singh and Hardev Singh. She has submitted that the parties have arrived at compromise and on the basis of the same, the petition for quashing of the FIR is also pending. On the issue of maintainability of the second petition for anticipatory

*bail, learned counsel has placed reliance upon judgment passed by Hon'ble Supreme Court in **Criminal Appeal No.615 of 2017, titled as Rani Dudeja Vs. State of Haryana, (2017) 13 SCC 555.***

Notice of motion for 29.11.2021.

The petitioners shall appear before the learned trial Court on or before 23.07.2021 and upon their appearance, they shall be admitted on interim regular bail subject to their furnishing requisite bail bonds and surety bonds to the satisfaction of the Court.”

Learned counsel for the petitioners states that pursuant to the order dated 07.07.2021, the petitioners submitted themselves before the trial Court on 23.07.2021 and were admitted on interim regular bail.

The above position is not disputed by the learned State counsel.

Considering the above, the petition is allowed and it is ordered that the petitioners shall remain on regular bail and on the same bail bonds/surety bonds furnished by them before the trial Court on 23.07.2021.

11.07.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No