

**102+213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-43379-2022 in/and
CRM-M-41209-2022
Date of decision: 15.11.2022**

SURJIT SINGH AND ANR.

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. G.S. Bal, Sr. Advocate with
Mr. Laxman Chaudhary, Advocate for the petitioners.

Mr. Hittan Nehra, Addl. AG, Punjab.

VIVEK PURI,J. (ORAL)

CRM-43379-2022

This is an application for placing on record the copy of order dated 16.09.2022 passed by the learned Additional District & Sessions Judge, Kapurthala.

CRM application is disposed of and copy of order dated 16.09.2022 is taken on record, subject to all just exceptions.

Registry to tag the same at the appropriate place.

Main case

On 09.09.2022, the following order was passed:-

“Petitioners are seeking anticipatory bail in the case bearing FIR No. 42 dated 28.06.2019, under Sections 376/384 IPC, registered at Police Station Talwandi Chaudhrian, District Kapurthala.

Learned Senior counsel for the petitioners contend that the petitioners were found innocent during the course of investigation. They have been summoned on the application under Section 319 Cr.P.C in terms of order dated 09.09.2021. The allegation of rape has been attributed against the son of the petitioner. Prosecution has also submitted an affidavit Annexure P-6 to indicate that she does not want to pursue the present case against the petitioners. Petitioners have assailed

the order dated 09.09.2021 by way of filing revision bearing CRR No.1435 of 2021 which is coming up for hearing on 23.09.2022. The next date in the trial Court is 16.09.2022.

Notice of motion.

Mr. A.P.S. Tung, DAG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 23.09.2022.

Meanwhile, the petitioners are directed to surrender before the learned trial Court on or before 16.09.2022 and on their doing so, they shall be admitted on interim bail to the satisfaction of the trial Court. The petitioners shall also comply with the provisions of Section 438(2) Cr.P.C.”

Learned Senior counsel contends that in pursuance of interim directions, the petitioners have surrendered before the learned Additional District & Sessions Judge, Kapurthala and have been released on interim bail.

On instructions from ASI Paramjit Singh, learned State counsel has not disputed the aforesaid factual aspects.

In view of the aforesaid submissions, the order dated 09.09.2022, granting interim bail to the petitioners is made absolute.

However, petitioners shall submit fresh bail bonds to the satisfaction of the trial Court within a period of 30 days.

The petition is allowed.

15.11.2022

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No