

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

Sr. No.207

CRM-M-52537 of 2021

Date of Decision: 14.03.2022

Soma Bai and another

.... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Harpreet Singh Jakhal, Advocate
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

SANT PARKASH, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.0140 dated 03.09.2021, registered under Sections 452, 323, 427, 506, 148 and 149 IPC at Police Station Vairoke, District Fazilka.

Vide order dated 16.12.2021, the petitioners were granted interim bail by this Court and the operative part of the said order is reproduced hereunder:-

“Notice of motion for 14.03.2022.

Mr. Tanvir Joshi, Assistant Advocate General, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book be supplied to learned State counsel, during the course of the day by hand or through e-mail.

In the meanwhile, petitioners are directed to join the investigation. In the event of arrest, petitioners shall be released on re-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

- (i) *that the petitioners shall make themselves available for interrogation by a police officer as and when required;*
- (ii) *that the petitioners 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;*
- (iii) *that the petitioners shall not leave India without the previous permission of the Court.”*

Upon instructions from ASI Gurnam Singh, learned State counsel submits that in compliance of the aforesaid orders, the petitioners have joined the investigation and their custodial interrogation is not required.

Having considered the facts and circumstances of the case, order dated 16.12.2021 passed by this Court is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Accordingly, the petition stands disposed of.

**(SANT PARKASH)
JUDGE**

14.03.2022
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No