

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

1. CRM-M No.17099 of 2023

Parveen Kumari

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M No.17170 of 2023

Surjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

Date of decision: 24th July, 2023

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rohit Joshi, Advocate for the petitioners.

Mr. Subhash Godara, Addl. Advocate General, Punjab
for the respondent/State.

Mr. Vivek Hans, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners, in both the petitions detailed hereinabove, are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.21 dated 15.03.2023 under Sections 427, 295, 506, 148 and 149 of the Indian Penal Code, 1860 (Section 379 IPC was added later on) registered at Police Station Talwara, District Hoshiarpur.

2. On the last date of hearing, i.e. 12.04.2023, while noticing the following submissions made by learned counsel for the petitioners, this Court had granted the concession of interim bail to the petitioners and asked them to join investigation.

*“Learned counsel for the petitioners contends that
the petitioners have been falsely implicated in the present*

case. The petitioners have not committed any offence as alleged in the FIR. Initially, the FIR was lodged under Sections 427, 295, 506, 148 and 149 of the IIPC and offence under Section 379 of the IPC was added later on only to harass the petitioners. The petitioners are the landlord of the house in question. Civil litigation is also pending between the parties. Nothing is to be recovered from the petitioners and their custodial interrogation is not required in the case. The petitioners are already ready and willing to join the investigation.”

3. Learned counsel for the petitioners submits that in compliance of the order dated 12.04.2023, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Navdeep Kumar, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

5. In the circumstances, the petitions are allowed and the interim order dated 12.04.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuse the concession of bail granted to them the State would be at liberty to seek cancellation of the bail granted to them.

(MANJARI NEHRU KAUL)
JUDGE

July 24, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No