

CRM-M-26728-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision: 21.07.2023

Nirmal Devi and another

....Petitioners

V/s

State of Punjab

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. S.K. Choudhary, Advocate for the petitioners.

Mr. Virat Rana, AAG Punjab.

ARUN MONGA, J. (Oral)

Present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioners in case FIR No.47 dated 25.04.2023, registered under Sections 420, 406, 120-B of the Indian Penal Code, 1860 (for short 'IPC'), at Police Station Sadar, District Pathankot.

2. Learned counsel for the petitioners submits that pursuant to earlier order dated 25.05.2023 passed by this Court, petitioners have joined the investigation and has fully cooperated in the same.

3. Learned State counsel per his instructions from ASI Sunil Kumar submits that petitioners have joined investigation and in view of cooperation rendered by them, no custodial interrogation of petitioners is required. Though, recovery could not be effected from them.

4. Per contrary, learned counsel for the petitioners submits that recovery is a matter of trial. In any case, petitioners have been falsely implicated in the present case and are innocent persons.

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5. In view of the above, since custodial interrogation of petitioners is no more required and they have already joined investigation and cooperated with the investigating officer, present petition is allowed. Order dated 25.05.2023 granting interim anticipatory bail to the petitioners is made absolute, subject to petitioner’s complying with provisions under Section 438(2) Cr.P.C.
6. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

July 21, 2023
Ajay

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