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

CRM-M-30200-2023 (O&M)

Date of Decision: 11.09.2023

Gurjit Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Bhupinder Singh Kundra, Advocate for the petitioners.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

...

MAHABIR SINGH SINDHU, J.

1. Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioners in FIR No.43 dated 13.05.2023, under Sections 452, 323, 506, 427, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station Badali Ala Singh, District Fatehgarh Sahib, Punjab.
2. Above FIR was registered on the basis of statement made by complainant Sukhdev Kaur with the allegations that petitioners along with co-accused abused, threatened and assaulted her.
3. This Court, vide order dated 12.06.2023, granted interim bail to petitioners and the same reads as under:-

“Notice of motion.

Mr. Ferry Sofat, Addl. AG, Punjab, accepts notice and seeks time to have instructions in the matter.

Mr. Jaskamal Singh Grewal, Advocate, appears on behalf of the complainant.

Posted on 28.07.2023.

In the meanwhile, petitioners shall join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioners shall also

- abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”*
4. Learned Counsel submits that in pursuance of the aforesaid order, petitioners have already joined the investigation and their custodial interrogation is not required.
5. Learned State Counsel, on instructions from ASI Baldev Singh, submits that petitioners have joined investigation and as on today, their custodial interrogation is not required.
6. In view of above, interim order dated 12.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending application(s), if any, shall also stand disposed off.

11.09.2023
Jasmine Kaur

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No