

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

Sr. No.201(4)

**CRM-M No. 44913 of 2022
Date of decision : 31.01.2023**

Anjum and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. B.S. Aulakh, Advocate for the petitioners.

Mr. Arun Luthra, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 87 dated 05.08.2021 registered under Sections 323, 341, 506 and 34 IPC (Section 498-A IPC added later on) at Police Station Sadar Ahmedgarh, District Malerkotla.

On 28.09.2022, this Court had passed the following order : -

“Learned counsel for the petitioners inter alia relies on the issuance of notice and grant of ad interim anticipatory bail to the similarly placed co-accused - Sharmina who has approached this Court through CRM-M-44418- 2022-Sharmina vs State of Punjab and another.

Notice of motion for 31.01.2023.

Mr.M.S.Nagra, AAG, Punjab, accepts notice on behalf of respondent No.1-State and prays for time to argue the matter.

Respondent No.2 be served through ordinary process.

In the meanwhile, subject to the petitioners' joining investigation as and when called by the investigating

agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of their arrest in FIR No.87 dated 05.08.2021 registered under Sections 323, 341, 506 and 34 IPC (Section 498-A IPC added later on) at Police Station Sadar Ahmedgarh, District Malerkotla, they shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.

Before the adjourned date, the state shall file a status report after consideration of which further orders in the present petition shall be passed ”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioners have joined and cooperated with the investigation and that their custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioners as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioners abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 28.09.2022, granting ad interim anticipatory bail to the petitioners is ordered to be made absolute.

31.01.2023*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No