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215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45585-2023 (O&M)

Date of decision : 23.11.2023

Aarti and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Mr. Harpal Singh Sidhu, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
for the respondent.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973, has been filed for grant of pre-arrest bail to the petitioners in FIR No.106 dated 20.06.2023, under Section 306 read with Section 34 of the Indian Penal Code, 1860, registered at Police Station Patti, District Tarn Taran.

2. Above FIR was registered on the basis of statement made by one Prabhat Kumar with the allegations that petitioners had pressurized his father to commit suicide.

3. This Court, on 13.09.2023, granted interim bail to petitioners and relevant part of the same is recapitulated as under:-

“Notice of motion.

*On advance service of copy of petition, learned
State counsel appears and accepts notice on behalf of the*

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respondent-State of Punjab and seeks time to file a report.

Adjourned to 23.11.2023.

In the meanwhile, petitioners shall join investigation, as and when required by the Investigating Agency and subject to their reporting to the Investigating Officer within two weeks from today, no coercive steps qua arrest of the petitioners shall be taken. In case, their arrest is required to be caused, petitioners shall be released on bail by the Arresting Officer till the next date of hearing on their furnishing personal bonds to the satisfaction of Arresting Officer. Petitioners shall also abide by all the conditions as envisaged under Section 438 (2) Cr.P.C.”

4. Contends that in terms of the aforesaid order, petitioners have already joined investigation and their custodial interrogation are not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from SI Ravi Shankar, and further stated that custodial interrogation of the petitioners is not required at this stage.

6. In view of the above, interim order dated 13.09.2023 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.

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9.
- Disposed off accordingly.
10.
- Pending application(s), if any, shall also stand disposed off.

23.11.2023
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No