



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-2880-2023
Date of decision: 06.08.2024

SAMEER MATHUR AND ORS.PETITIONERS

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Sandeep Godara, Advocate for the petitioners.
Mr. Adesh Pal Singh, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioners seek anticipatory bail in case FIR as under:

FIR No.	Dated	Section	Police Station
212	22.11.2022	420, 406 and 120-B of IPC	Division No.2, District Pathankot.

2. Learned counsel for the petitioners submits that in compliance to the order dated 19.01.2023 passed by this Court, the petitioners have already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 19.01.2023.
3. Learned State counsel, on instructions from SI Balbir Singh, intimates the Court that the petitioners have joined investigation and are neither required for further investigation nor for any custodial investigation.



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4. Learned counsel for the complainant opposed the submissions made by learned counsel for the petitioner.

5. During the course of hearing on 19.01.2023, following order was passed:

“Learned counsel for the petitioners, inter-alia, submits that the present dispute is primarily of a civil nature and the FIR has been registered against the petitioners so as to arm-twist them.

Notice of motion.

In the meanwhile, petitioners will join investigation before the Investigating Officer as and when called. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure, 1973.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioners had joined the investigation consequent to the order dated 19.01.2023 passed by this Court, interim bail granted vide order dated 19.01.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioners are directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioners; they will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.



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- 7. The petition stands allowed.
- 8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

06.08.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |