

CRM-M-11096-2024
Date of decision: 17.07.2024

.....Petitioners

versus

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Rajesh Punj, Advocate and
Mr. Rohit Dhiman, Advocate
for the petitioners.

Mr. J.S. Dhaliwal, AAG Punjab.

Mr. Vaibhav Narang, Advocate for complainant.

KIRTI SINGH, J. (ORAL)

Prayer in the present petition filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner, in case FIR No.7 dated 10.02.2024, under Sections 420, 467, 468, 471 and 120-B of IPC, registered at Police Station NRI Ludhiana, District Ludhiana.

2. Learned counsel for the parties submit that the parties agree that the petitioners will not handover vacant possession of any part of the joint property to any third party till the partition proceedings filed at the instance of the complainant are concluded and they will not raise any construction over the property in question.

3. Learned State counsel on instructions from ASI Avtar Singh submits that in compliance of order dated 18.04.2024, the petitioners have joined the investigation and are not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 18.04.2024 passed by this Court, is hereby

made absolute.



5. This order should not be treated as "blanket" order. It will not be read granting the petitioners indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.
7. The petitioners shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act in regard to a discovery of facts made in pursuance of information supplied by the petitioners in case the occasion arises.
8. It will be open to the police or the investigating agency to move to this Court for a direction under Section 439(2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

(KIRTI SINGH)
JUDGE

17.07.2024
Kavita Nain

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