



*under Section 41-A Cr.P.C. was served upon the petitioners. All the allegations levelled against the petitioners are implausible and far-fetched. As such, the petitioners are entitled to anticipatory bail in view of the directions issued by the Hon'ble Supreme Court in **Md. Asfak Alam Vs. State of Jharkhand and another, 2023 (3) R.C.R(Criminal) 754**. It is further contended that there is no possibility of the petitioners fleeing from justice and pre-trial detention would cause irreparable loss, mental agony, embarrassment and humiliation to the petitioners.*

Adjourned to 07.05.2024.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273**, **Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427**, **Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51**, **Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375** and **Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565**, the petitioners are directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioners will be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of investigating/arresting officer and the petitioners shall co-operate in the investigation.*

If the arresting officer does not permit the petitioners to join the investigation, they would appear before the learned Illaqa Magistrate, who would then summon the arresting officer and direct him to join the petitioners in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and the trial Court shall decide the same on its own merits, strictly in accordance with law."

3. Learned State counsel, on instructions from Inspector Vikrant, submits that in compliance of order dated 05.04.2024 passed by this Court, the



petitioners have joined the investigation and are not required for further custodial interrogation.

4. Learned counsel for respondent No.2 vehemently opposes the prayer of the petitioners on the ground that they have made material concealments as petitioner No.1 is involved in 02 more cases.

5. Keeping in view the statement made by learned State Counsel, the order dated 05.04.2024, is made absolute. The petitioners shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.

6. The petition is accordingly disposed of.

7. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

August 07, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No