



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

1. CRM-M No.35142 of 2019 (O&M)

Harleen Kaur & another

... Petitioners

Versus

State of Punjab

... Respondent

2. CRM-M No.37862 of 2019 (O&M)

Dilpreet Singh & another

... Petitioners

Versus

State of Punjab

... Respondent

Date of decision: 27th May, 2024

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sukhdeep Singh, Advocate for the petitioners.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

Dr. Rau P.S. Girwar and Ms. Archana Arora,
Advocates for the complainant

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners in both the petitions detailed hereinabove are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.84 dated 06.07.2019 under Sections 420, 120-B of the IPC registered at Police Station Bathinda Cantt, District Bathinda.

2. Vide order dated 28.08.2019 passed in CRM-M-35142-2019, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioners therein. Interim order in the same terms was passed in favour of the petitioners in the other petition i.e. CRM-M-37862-2019 vide order dated 09.09.2019.

3. Learned State counsel, while drawing the attention of this Court to the affidavit dated 21.11.2023 of Sarabjit Singh PPS, AIGP,



Litigation, Bureau of Investigation, Punjab, on instructions from ASI Manphool Singh, has reiterated that it was on account of an inadvertent typographical error, the name of ‘Gautam Cheema IPS’ has been wrongly mentioned as ‘Ananya Gautam’ in order dated 05.10.2023. It has also been submitted by learned State counsel, on instructions, that after registration of the FIR in question, a thorough investigation was carried out, however, since no substance was found, a cancellation report had been prepared and submitted before the learned trial Court concerned, which was pending adjudication for 04.06.2024.

4. On a further query put to the learned State counsel, he on instructions has informed the Court that the custodial interrogation of the petitioners is not required in view of the fact that they have joined investigation and cooperated with the Investigating Agency.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In the circumstances, the petitions are allowed and the interim order dated 28.08.2019 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them.

7. Pending application, if any, stands disposed of.

(MANJARI NEHRU KAUL)
JUDGE

May 27, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No