

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

CRM-M-56323-2023
Date of decision: 23.01.2024

SHER SINGH AND OTHERS

....Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. G.S. Brar, Advocate for the petitioners.
Mr. Dig Vijay Nagpal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

On the last date of hearing i.e on 08.11.2023, the following order was passed:-

"The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.168 dated 15.9.2023, under Sections 420, 465, 467, 468, 471, 120-B, 166-A IPC, registered at Police Station Sadar Khanna, District Khanna (Ludhiana).

The allegations against the petitioners are that they had created false documents, due to which the nomination papers of the complainant were rejected. It is further alleged that the petitioners had sworn an affidavit on 10.7.2023, to the effect that the signatures on the forged documents were obtained from the petitioners under duress.

Considering the fact that the allegations pertained to the year 2018, and the FIR was registered on 15.9.2023 and the allegations are based upon documentary evidence. The custodial interrogation of the petitioners is not required, therefore, this Court deems it fit at this stage to grant interim relief of anticipatory bail to the petitioners.

Notice of motion for 23.1.2024.

On the asking of the Court, Mr. Karunesh Kaushal, AAG, Punjab, accepts notice on behalf of the State of Punjab.

In the meanwhile, in the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) of the Cr.P.C."

Learned counsel for the petitioners submits that in pursuance of the order dated 08.11.2023, the petitioners have joined the investigation.

Learned State counsel, on instructions from the official respondent, submits that the petitioners have joined the investigation and they are not required for any further custodial interrogation.

In view of the statement made by learned State counsel, the interim order dated 08.11.2023, is hereby made absolute.

23.01.2024
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(KULDEEP TIWARI)
JUDGE

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