

SANTOKH SINGH AND ANOTHER ...Petitioners

Vs.

STATE OF PUNJAB ...Respondent

CORAM: HON’BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Aman Kumar, Advocate for
Mr. Piyush Sharma, Advocate for the petitioners.

Ms. Jagriti Kalia, AAG, Punjab.

Mr. Gurmeet Singh Saini, Advocate for the complainant.

Nidhi Gupta, J. (Oral)

Prayer in the present petition under Section 438 CrPC is for grant of anticipatory bail to the petitioners in case FIR No.90 dated 23.10.2023 registered under Sections 498-A, 323 and 34 IPC at Police Station Lakho Ke Behram, District Ferozepur.

On 28.11.2023, a co-ordinate Bench of this Court had passed the following order:-

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.90 dated 23.10.2023 under Sections 498-A, 323, 34 of the Indian Penal Code, 1860, registered at Police Station Lakho Ke Behram, District Ferozepur (Annexure P-1).

Learned counsel for the petitioners would contend that a totally false case has been registered against the

petitioners and that no notices were sent to the petitioners as contemplated under Section 41 CrPC. Learned counsel would further contend that injuries alleged to have been received by the complainant are all simple in nature.

Notice of motion.

On the asking of the Court, Mr. M.S. Tiwana, AAG, Punjab accepts notice on behalf of the State-respondent. Mr. B.S. Sidhu, Advocate has put in appearance on behalf of the complainant.

List on 04.03.2024.

Meanwhile, the petitioners are directed to join investigation as and when called for. In the event of arrest, the petitioners shall be admitted to interim bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the terms and conditions as specified in Section 438 (2) of the Code of Criminal Procedure, 1973.”

Learned State counsel on instructions states that in terms of the order passed by the co-ordinate Bench of this Court, reproduced above, the petitioners have joined the investigation and no further interrogation is required at this stage.

In view of the above, order dated 28.11.2023 granting interim bail to the petitioners is made **absolute**. However, the petitioners shall abide by following conditions:-

- i) They shall join the investigation as and when required by the Investigating Officer.*
- ii) They shall not offer any threat, promise or inducement to any person acquainted with the facts*

of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
iii) They shall not leave the limits of this country without prior permission of the Court.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioners are required for the investigation but are not cooperating, it will be at liberty to approach this Court for passing appropriate orders.

(Nidhi Gupta)
Judge

04.03.2024
'Amit'

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>