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Court : Punjab and Haryana

Decided On : May-06-2014

Appellant : “this Is a Petition Under Section 438 of the Code

Respondent : State of Punjab --respondent

Judgement :

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH CRM No.M-12882 of 2014 (O&M) Date of Decision: 06.05.2014.

Simarjit Singh & others --Petitioners Versus State of Punjab --Respondent
CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr.Sandeep Arora, Advocate for the petitioneRs.Mr.K.S.Sidhu, D.A.G., Punjab.

*** TEJINDER SINGH DHINDSA.J This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioners in case F.I.R No.16 dated 8.3.2014 under section 380 I.P.C, registered at Police Station Tarsikka, District Amritsar.

On 15.4.2014, while issuing notice of motion, the following order was passed by this Court:- This is a petition under Section 438 of the Code of Criminal Procedure seeking anticipatory bail in case FIR No.16 dated 8.3.2014 under Section 380 of

the Indian Penal Code, Police Station Tarsikka, District Amritsar.

Allegations in the FIR are pertaining to theft of buffaloes of the complainant by the petitioners. It is contended that the FIR was lodged after three months of the alleged incident and prior to that no complaint was ever made.

The petitioners are ready to join the investigation.

Notice of motion for 6.5.2014 In the meantime, in the event of arrest, the petitioners shall be released on interim anticipatory bail, Lucky 2014.05.09 10:18 subject to their furnishing bail/surety bonds to the satisfaction I attest to the accuracy and integrity of this document Chandigarh CRM No.M-12882 of 2014 (O&M) -2- of the Arresting Officer.

The petitioners shall also comply with the conditions, as contained in Section 438(2) Cr.P.C.

Learned State counsel upon instructions from ASI Harjeet Singh would apprise the Court that the petitioners have since joined investigation.

State counsel furthermore does not dispute the factual matrix as has been noticed by this Court in the notice of motion order.

Accordingly, the present petition is allowed.

Order dated 15.4.2014, passed by this Court is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA) JUDGE May 06, 2014.

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