

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

**C.R.M-M No.13656-2015
Date of decision : 16.11.2015**

Barideen and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Veneet Sharma, Advocate
for the petitioners.

Mr. A.P.S.Gill, Assistant Advocate General, Punjab.

Mr. H.S.Baath, Advocate
for the complainant.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case F.I.R. No.47 dated 19.03.2015 registered under Sections 406/120-B IPC at Police Station Gate Hakima, Amritsar City, District Amritsar.

On 30.04.2015 the following order was passed:-

“Learned counsel for the petitioners relies upon order dated 24.04.2015 passed in CRM-M No.12901 of 2015.

Notice of motion for 02.07.2015.

To be heard along with CRM-M No.12901 of 2015.

Interim order in the same terms.”

Learned Assistant Advocate General states that the petitioners has joined the investigation but as per him and the learned counsel for the complainant the recovery has not been made.

Learned counsel for the petitioners has argued that the fact of the matter is that the material was handed over by the petitioners to one of the protagonist and is not with him and therefore there is no way that he can get it recovered. As per him that person i.e. Shammi was arrested but no recovery was effected from him and he was released on bail.

Learned counsel for the complainant and learned AAG, on instructions from H.C. Gurmail Singh have accepted that Shammi was arrested and was released on anticipatory bail.

In the circumstances, without going into the merits of the case, I deem it appropriate to grant the concession of anticipatory bail to the petitioners.

Resultantly, the petition is allowed and the interim order dated 30.04.2015 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

16.11.2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**