

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

CRM-M-28871 of 2015 (O&M)

Date of decision : 31.8.2015

Kashmir Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. A.D.S.Sukhija, Advocate for the petitioners.

JITENDRA CHAUHAN, J. (Oral)

1. This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.19 dated 29.1.2014 under Sections 308, 307, 354A, 452, 324, 323, 506, 148, 149, 120-B IPC registered at Police Station Jalandhar.

2. The learned counsel refers to Annexure P-3, the statement of the daughter of the complainant Anoop Kumar recorded under Section 161 Cr.P.C. wherein no overt act is attributed the petitioner. Subsequently, she has alleged that petitioner No.1 tore her clothes whereas petitioner No.2 caught hold of her.

3. Notice of motion.

4. At the asking of the Court, Ms.Harsimrat Rai, DAG Punjab,

accepts notice on behalf of the respondent-State.

5. Learned State counsel states that custodial interrogation of the petitioners is not required.

6. Heard.

7. Petitioners Kashmir Singh and Surinder Singh have been summoned on an application under Section 319 Cr.P.C. to face trial. They are no longer required by the police for investigation. Challan has already been presented. The trial is going on.

8. In view of the above, the petitioners are directed to appear before the trial Court within seven days or on the date fixed, whichever is earlier. In the event of their appearance, the trial court will release them on bail during the pendency of trial on each of them furnishing requisite bonds to its satisfaction.

9. The petition is allowed accordingly.

31.8.2015
Meenu

(JITENDRA CHAUHAN)
JUDGE