

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

CRM-M-38775-2015

Date of decision: 07.12.2015

Daljit Kaur and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. A.S. Gulati, Advocate,
for the petitioners.

Mr. R.P.S. Sidhu, AAG, Punjab.

SABINA, J

Petitioners have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.212 dated 30.10.2015, under Section 295 of Indian Penal Code, 1860, registered at Police Station City Kharar, Sahibzada Ajit Singh Nagar, Punjab.

While issuing notice of motion following order was passed by this Court on 13.11.2015:-

“Learned counsel for the petitioners pleads that there are no specific allegations against the petitioners causing any damage to the Mazaar. The only allegations mentioned in the FIR are that the flag installed at the Mazaar has been uprooted. No further damage has been alleged to be caused to the Mazaar. He contended that the Mazaar is situated in the land of the petitioners and they are themselves devotees of

the Pir. He has drawn my attention to the photographs Annexure P-2. He further contended that the maximum sentence for the offence punishable under Section 295 IPC is two years. No recovery is to be effected from the possession of the petitioners and they are ready to join the investigation.

Notice of motion for 07.12.2015.

In the meanwhile, in the event of arrest of the petitioners, they will be admitted to the interim anticipatory bail on furnishing bail bonds to the satisfaction of the Arresting Officer on the conditions that they will join the investigation as and when required by the Investigating Officer, that they will not directly or indirectly tamper with the prosecution evidence and that they will not leave India without the prior permission of the Court. ”

Learned State counsel who is assisted by Assistant Sub Inspector Amar Nath has submitted that the petitioners have joined investigation and are not required for further investigation.

Accordingly, interim bail granted to the petitioners by this Court vide order dated 13.11.2015, is made absolute.

Petition stands disposed of accordingly.

December 07, 2015
kapil

(SABINA)
JUDGE