

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.6030 of 2015

and

Criminal Misc. No.M-921 of 2015

.....

Date of decision:23.2.2015

Ashwani Kumar

...Petitioner

v.

State of Punjab

...Respondent

....

(2) Criminal Misc. No.6104 of 2015

and

Criminal Misc. No.M-1208 of 2015

.....

Sarita Rani

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Gopal Singh Nahel, Advocate for the petitioners.

Mr. S.S. Chandumajra, Deputy Advocate General, Punjab for
the respondent-State.

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Inderjit Singh, J.

Cr. Misc. Nos.6030 & 6104 of 2015:

For the reasons mentioned in the criminal miscellaneous
applications, Section 7 of the Drugs and Magic Remedies (Objectionable

Advertisement) Act, 1954 is added in the above noted petitions.

The criminal miscellaneous applications stand disposed of.

Cr. Misc. Nos.M-921 & 1208 of 2015:

This order will dispose of the above mentioned two petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.248 dated 15.8.2014 registered for the offences under Sections 420, 406 and 120-B IPC and (Section 7 of the Drugs and Magic Remedies (Objectionable Advertisement) Act, 1954, which was added later on) at Police Station City Sangrur, District Sangrur, as these arise out of the same FIR.

Notice of motion has been issued in these cases.

Mr. S.S. Chandumajra, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners and learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that as per the allegations Sarita Rani and Ashwani Kumar robbed the complainant. The accused and co-accused took five Tolas of gold and other amount by stating that the wife of the complainant, who was suffering from illness from some years, will be treated by unnatural magic etc. by performing devotion of Mata. It is stated that Sarita Rani has adorned incarnation of Mata and she will remove all the diseases and sufferings. The complainant was advised for performing a

`Chowki' (devotion/worship) of Mata.

Keeping in view the facts and circumstances of the present case and the fact that illiterate and poor people are cheated on the ground of these unnatural things like `Chowki' of Mata etc. and the petitioners have cheated the complainant of money as well as five Tolas of gold, which is still to be recovered from the present petitioners and the petitioners are required for custodial interrogation, no case for grant of anticipatory bail is made out.

Therefore, finding no merit in these petitions, the same are dismissed.

February 23, 2015.

(Inderjit Singh)
Judge

hsp