

CRM-M No.19472 of 2016

::1::

210

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

Date of Decision : 23.08.2016

1) C.R.M-M No.19472 of 2016

Pardeep Sharma and others

..... Petitioners

versus

State of Punjab

..... Respondent

2) C.R.M-M No.21963 of 2016

Darshan Lal

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Kushagra Mahajan, Advocate
for the petitioner (in CRM-M No.19472 of 2016)

Mr. Ravi Malhotra, Advocate
for the petitioner (in CRM-M-21963-2016)

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

These are two petitions arising out of the same sordid incident under Section 377 IPC. Both these petitions are decided by the common order.

The petition bearing CRM-M-19472-2016 has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.4 dated 17.01.2016 registered under Sections 377, 384, 120-B IPC and Sections 66-E, 67 and 67-A of the Information Technology Act, 2000, at Police Station Narot Jaimal Singh, District Pathankot.

The petition bearing CRM-M-21963-2016 has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.4 dated 17.01.2016 registered under Sections 377, 384, 120-B IPC and Sections 66-E, 67 and 67-A of the Information Technology Act, 2000, at Police Station Narot Jaimal Singh, District Pathankot.

Learned Additional Advocate General has pointed out that in this case apart from the legal angle there is very important social angle which is as to what kind of activities both the sets of petitioners are doing in a holy place.

Faced with this, both the learned counsel appearing on

behalf of the petitioners have stated that their clients will completely disassociate themselves from the Dargah Nishan Shah situated at Narot Jaimal so that no more sacrileges is committed and the place of worship is not turned into a den of iniquity.

On this specific undertaking by the learned counsel, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners.

Resultantly, the petitions are allowed. In the event of arrest of the petitioners, they shall be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioners are directed to appear before the investigating officer on 29.08.2016 and on any other date as and when their presence is required. In case the petitioners do not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

August 23, 2016
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No