

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

CRM-M-33562-2016 (O&M)

Date of decision: 6.12.2016

Ashok Kumar and another

.....Petitioners.

Versus

U.T. Chandigarh

.....Respondent.

CORAM: - HON'BLE MS. JUSTICE RITU BAHRI.

Present: - Mr. S.S. Sarwara, Advocate for petitioners.

Ms. Ashima Mor, Advocate for UT-respondent

.....

Ritu Bahri, J.

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr. P.C. to the petitioners, in a case arising out of F.I.R No. 23 of 19.1.2016 registered under Sections 328, 376, 498-A and 506 of IPC registered at P.S. Industrial Area, Chandigarh.

Learned counsel for State-respondent, on instructions from Baljit Singh, IO submits that petitioners have joined the investigation. But learned State counsel is opposing the grant of bail to the petitioners on the ground that allegations against the petitioners are that they had assisted the father-in-law of complainant to commit rape upon her and this fact has also been verified from the DNA report. Father-in-law is in judicial custody after the arrest.

On the other hand learned counsel for petitioners submits that petitioners are innocent and have been falsely implicated in the case.

Keeping in view the fact that main allegations under Section 376 IPC are against the father-in-law, order dated 21.9.2016 is made absolute qua petitioners. The petitioners shall continue to join the investigation as when required to do so and abide by all the conditions as

envisaged under Section 438 (2) Cr.P.C

However, the petitioners are at liberty to file fresh bail bonds after presentation of the challan.

Accordingly, the petition stands disposed of.

6.12.2016
preeti

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No