

**In the High Court of Punjab and Haryana at Chandigarh**

**Crl. Misc. No. M-34195 of 2016 (O&M)**  
**Date of Decision: 07.11.2016**

Sarabjit Kaur and others

.....Petitioners

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

Present: Mr. S.S.Gill, Advocate  
for the petitioners.

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

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**ANITA CHAUDHRY, J (ORAL)**

Through the instant petition, the petitioners are seeking anticipatory bail in case FIR No. 223 dated 30.8.2015, registered under Sections 363, 366-A, 376 IPC and Sections 302, 201, 120-B IPC (added later on), Police Station Patran, District Patiala.

Counsel for the petitioners states that as directed on the last date, the petitioners had appeared before the Court below and they were admitted to interim bail.

State counsel submits that the allegations against the petitioners were not under Section 376 IPC and the allegations are under Section 302 IPC.

It appears that wrong fact was noted. The allegations against the petitioners were under Section 302 IPC. The daughter had accused her

father and other relatives of murdering her sister. The police had filed

challan against four persons including the father. The petitioners were also named by the complainant. The body of the girl was not recovered. This is a case based on circumstantial evidence. The petitioners have already appeared before the Court below.

Looking to the circumstances, but without commenting on the merits of the case, the petition is allowed and order dated 7.10.2016 granting interim bail to the petitioners is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

**(ANITA CHAUDHRY)**  
**JUDGE**

**November 07, 2016**

Gurpreet

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|----------------------------------|----------|------------|
| <b>Whether speaking/reasoned</b> | <b>:</b> | <b>Yes</b> |
| <b>Whether reportable</b>        | <b>:</b> | <b>No</b>  |