

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

CRM-M-8642-2016 (O&M)

Date of decision : 22.08.2016

Kiya and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anureet Singh Sidhu, Advocate,
for Mr. Amjad Khan, Advocate,
for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Mohan Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioners have approached this Court under Section 438 of the Code of Criminal Procedure (for short, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.76 dated 05.09.2015, registered under Section 365 of the Indian Penal Code, at P.S. Hariana, District Hoshiarpur.

Contentends that in pursuance of orders dated 11.03.2016 and 04.07.2016, the petitioners have repeatedly joined the investigation. Further states that civil litigation is pending between the parties and the instant FIR has been registered to put pressure on the petitioners.

On the other hand, learned State counsel submits that though the petitioners have joined the investigation but the mother of the complainant is yet to be recovered.

Heard.

Keeping in view the fact that the petitioners have repeatedly joined the investigation and the parties are already engaged in civil

litigation, therefore, the possibility of false implication cannot be ruled out, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.03.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed accordingly.

22.08.2016
atulsethi

(JITENDRA CHAUHAN)
JUDGE

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