

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

**CRM No.M-1473 of 2017
Decided on: 20.01.2017**

Kamal Jain and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Bhupiner Ghai, Advocate
for the petitioners.

REKHA MITTAL, J. (Oral)

The petitioners pray for grant of bail in anticipation of arrest in FIR No.141 dated 06.10.2016 registered at Police Station Model Town, Hoshiarpur, District Hoshiarpur for offence punishable under Sections 498-A and 406 of the Indian Penal Code (in short 'IPC').

Counsel for the petitioners has submitted that the petitioners filed an application for grant of pre-arrest bail before the Court of Sessions and interim bail was granted to them vide order dated 12.10.2016 (Annexure P5) and in pursuance thereof, the petitioners joined investigation as noted in the order dated 25.10.2016. Later after hearing the parties at length, the Court passed the order dated 13.12.2016 (Annexure P7) and the petitioners were directed to join investigation. The petitioners again joined investigation in compliance with the order dated 13.12.2016 and their statements were recorded. On 11.01.2017, the application was dismissed for non-prosecution. As the petitioners had already invoked the jurisdiction of the Court of Sessions and their plea with regard to grant of anticipatory bail has not

been finally decided by the Court, the petition is disposed of without prejudice to rights of the petitioners to approach the Court of Sessions for necessary relief. In order to enable the petitioners to approach the said Court without suffering arrest, petitioners shall not be taken into custody for a period of 07 days.

Disposed of accordingly.

20.01.2017
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No