

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

**CRM No.M-31632 of 2016 (O&M)
Date of Decision: 08.02.2017**

Sudesh Rani & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rajesh Batheja, Advocate for the petitioners.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in a cross case registered vide Rapat No.16 dated 12.02.2012 under Sections 452/379/342/511/323/506/34 IPC in case FIR No.7, dated 12.02.2012, under Sections 452/323/506/148/149 IPC, registered at Police Station Ajitwal, District Moga.

Counsel at the very outset states that during the pendency of the instant petition, petitioner No.1 has expired. Accordingly, the present petition is rendered infructuous qua petitioner No.1.

Insofar as petitioner No.2 is concerned, counsel would submit that after registration of the cross case, the petitioner applied for and was granted concession of anticipatory bail. However, the challan was subsequently presented on 05.08.2015 but petitioner No.2 was not having knowledge of the same and proclamation proceedings had been initiated .

Hence, the present petition has been filed seeking concession of anticipatory bail.

On 22.09.2016 while issuing notice of motion, this Court had directed the petitioners to appear before the Court below and had observed that in the eventuality of the petitioners doing so, they would be entitled to ad interim protection as regards arrest subject to satisfaction of the trial Court.

During the course of arguments today, it has gone uncontroverted that petitioner No.2 had duly appeared before the trial Court on 21.01.2017 and has been admitted to interim bail on furnishing requisite bail bonds/surety bonds.

Accordingly, petitioner No.2 having joined investigation, the present petition is allowed. Order dated 22.09.2016 passed by this Court is made absolute.

Disposed of.

08.02.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |