

Criminal Misc. M- No. 3140 of 2017 (O&M)

Date of decision : May 30, 2017

Abhishek Masih @ Abhishek Bhatti

.....Petitioner

Versus

State of Punjab

....Respondent

Criminal Misc. M- No. 6243 of 2017 (O&M)

Sandeep Masih

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. D.S. Pheruman, Advocate
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

Mr. Deepak Arora, Advocate
for the complainant.

LISA GILL, J.

This order shall dispose of Criminal Misc. M- Nos. 3140 and 6243 of 2017.

Prayer in these petitions is for grant of anticipatory bail to the petitioners in FIR No. 34 dated 22.07.2016 registered under Sections 376, 506, 120-B IPC and Section 66 (E) of Information and Technology Act, 2008 at Police Station Kahnuwan, District Gurdaspur.

It is submitted that both the petitioners have been falsely implicated. They are alleged to be standing guard while the offence in question was being committed by the co-accused. The incident in question allegedly took place on 20.05.2015 whereas the allegations are raised on 22.07.2016 on the basis of which the present FIR has been registered. It is submitted that the petitioners have since joined investigation. They are not involved in any criminal case. It is, thus, prayed that these petitions be allowed.

Learned counsel for the State, on instructions from ASI Kulwinder Singh, Police Station Kahnuwan, affirms and verifies that the petitioners have joined investigation. It is specifically submitted on instructions from ASI Kulwinder Singh that the petitioners have been found innocent during investigation.

There are no allegations on behalf of the State that the petitioners are likely to abscond, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow these petitions. Consequently, order dated 15.02.2017 in CRM-M No. 3140 of 2017 and order dated 23.02.2017 in CRM-M No. 6243 of 2017 are made absolute.

May 30, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No