

CRM-M-18941-2018 (O & M)

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

CRM-M-18941-2018 (O & M)

Date of Decision: 09.08.2018

Nirmala Devi and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ankit Kharbanda, Advocate for
Mr. S.S.Goraya, Advocate,
for petitioners No.1 and 2.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

CRM-19733-2018

Allowed as prayed for, subject to all just exceptions. Annexures

P-3 and P-4 are taken on record.

CRM-M-18941-2018

Petition qua petitioner No.3-Manga has already been dismissed
as withdrawn vide order dated 28.05.2018.

Petitioners No.1 and 2 namely Nirmala Devi and Bittu have
filed this petition under Section 438 of the Code of Criminal Procedure,
1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.134
dated 31.08.2017, registered at Police Station City Batala, Police District
Batala, under Sections 452, 323, 324, 506, 148 and 149 IPC and Section
326 IPC added later on.

CRM-M-18941-2018 (O & M)

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for petitioners No.1 and 2 as well as learned State counsel and have gone through the record.

From the record, I find that petitioners No.1 and 2 namely Nirmala Devi and Bittu are named in the FIR. They are stated to be empty-handed and no injury is attributed to them.

In pursuance of the interim order dated 28.05.2018 passed by this Court, petitioners No.1 and 2 have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. Therefore, no useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition qua petitioners No.1 and 2 and the same is allowed accordingly. The order dated 28.05.2018, granting interim bail to petitioners No.1 and 2, is made absolute. However, petitioners No.1 and 2 shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

09.08.2018

parveen kumar

Note:

Whether speaking/reasoned

Whether reportable

(INDERJIT SINGH)
JUDGE

: Yes

: No