

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-29707 of 2017

DATE OF DECISION:01.10.2018

Kamaljit Kaur @ Ruby and another

.....Petitioners

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Amandeep Singh, Advocate
for the petitioners.

Mr. Amit Mehta, Sr. DAG, Haryana.

Mr. Navjinder Singh, Advocate
for the complainant.

DAYA CHAUDHARY, J.

Learned counsel for the petitioners contends that in compliance of order dated 17.8.2017, the petitioners have joined the investigation and the same has been affirmed by learned State counsel on instructions from ASI Jagtar Singh. However, he contends that the petitioners are not cooperating in the investigation as they have not given their voice sample.

Learned counsel for the petitioners contends that the petitioners are not named in the FIR and co-accused, namely, Gurpreet Kaur and two others, who are main accused have already been released on anticipatory bail. Learned counsel by relying upon the Delhi High Court judgment in the case of **Rakesh Bisht etc. Vs. Central Bureau of Investigation** 2007 (1) JCC 482 contends that the petitioners cannot be compelled to give voice sample during investigation and in case the same is required, it can be done

only after moving an application.

Since the petitioners have joined the investigation and co-accused of the petitioners have already been released on interim bail, interim order dated 17.8.2017 passed in favour of the petitioners is made absolute.

Petition stands disposed of accordingly.

October 01, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes