

**Criminal Misc. No. M- 47282 of 2017 (O&M)**

Date of decision : January 30, 2018

Ninder Singh and another

.....Petitioners

Versus

State of Punjab and another

....Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. D.S. Kahlon, Advocate  
for the petitioners.

Ms. Seena Mand, DAG, Punjab.

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**LISA GILL, J.**

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No. 0068 dated 14.09.2017 under Sections 376, 506, 34 IPC registered at Police Station Bhaini Mian Khan, Tehsil and District Gurdaspur.

Contention on behalf of the petitioners, in this case, while affording interim bail reads as under:-

“ It is submitted that though the petitioners were named in FIR No. 0068 dated 14.09.2017, the victim, in her statement under Section 164 Cr.P.C., has not held the present petitioners responsible for the commission of any offence. Petitioner No. 1 is stated to be nineteen (19) years old and petitioner No. 2 merely eleven (11) years old.”

It is submitted that the petitioners have joined investigation and their custodial interrogation in this case is not required. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI

Narinder Singh, verifies that the petitioners have joined investigation in

terms of order dated 22.12.2017. Statement under Section 164 Cr.P.C. suffered by the victim is not disputed by learned counsel for the State. It is verified that the petitioners are not involved in any other criminal case.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, 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 this petition. Consequently, order dated 22.12.2017 is made absolute.

January 30, 2018  
rts

**(Lisa Gill)**  
**Judge**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No