**Sr. No.264**

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

**CRM No. M-5732 of 2018 (O&M)**
**Date of Decision: 16.03.2018**

Karamjit Kaur and another

... Petitioners

Versus

State of Punjab

... Respondent

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

Present:- Mr. T.P.S.Makkar, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

**TEJINDER SINGH DHINDSA, J.(ORAL)**

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners herein in case FIR No.11 dated 20.01.2018, under Sections 353/186/506/ IPC, registered at Police Station Kotbhai, District Sri Muktsar Sahib.

While issuing notice of motion on 09.02.2018 the following order was passed by this Court:

> ***"By referring to MLR of petitioner No.1, learned counsel for the petitioners submits that the occurrence has not taken place in the manner as suggested by the prosecution. The offence under Section 186 IPC is an aggravated offence of the offences under Sections 332 and 353 IPC and the same is noncognizable.***
>
> ***Learned counsel relies upon Nirbhai Singh vs.***

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***State of Punjab and another, 2009(4) R.C.R. (Criminal) 614 and Ram Kumar vs. State of Haryana, 1998(1) PLR 633.***

***Notice of motion for 16.03.2018.***

***In the meanwhile, petitioners `are directed to appear before the SHO/Investigating Officer to join investigation on 14.02.2018 and in the event of their arrest, they shall be enlarged on ad interim bail, subject to the satisfaction of Arresting Officer. However, petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C."***

Learned State counsel upon instructions from ASI Gurlal Singh, Police Station Kot Bhai, Muktsar informs the Court that the petitioners have joined investigation and are not required for custodial interrogation.

In the light of such categoric stand taken on behalf of the State, prayer is allowed.

Order dated 09.02.2018, passed by this Court is made absolute.

Disposed of.

**16.03.2018** **(TEJINDER SINGH DHINDSA)**
vandana **JUDGE**

Whether speaking/reasoned Yes
Whether Reportable No

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