

In the High Court of Punjab and Haryana at Chandigarh

(Proceedings conducted through Video Conference)

CRM-M-13026 of 2020 (O&M)

Date of Decision: 10.9.2020

Sucha Singh and another

---Petitioners

versus

State of Punjab

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Ms. Riffi Birla, Advocate
for the petitioners**

Mr. S.P.S.Tinna, Addl. A.G.Punjab

**Mr. Neeraj Madaan, Advocate
for the complainant**

Rekha Mittal, J.

A copy of affidavit dated 8.9.2020 of petitioners Sucha Singh and Paramjeet Kaur, received online, is taken on record.

Counsel for the petitioners would argue that despite repeated visits of the petitioners to the police station, no entry was made with regard to their joining investigation and they were sent back by the investigating officer by saying that they would be called to the police station as and when required. It is further submitted that gold articles weighing 36.5 grams have been recovered and taken into possession on 4.6.2020. The last submission made by counsel is that petitioners are ready to face proceedings without any default.

Counsel representing State of Punjab, on instructions from SI

Ramandeep Kaur, would concede that gold articles weighing 36.5 grams, detailed in the Recovery Memo dated 4.6.2020, have already been recovered from the petitioners. However, he has submitted that the petitioners did not join investigation within seven days of order dated 22.7.2020 though they joined investigation a day before yesterday.

Counsel for the petitioners, in reply, would submit that she had personally contacted SI Ramandeep Kaur to facilitate joining of the petitioners in investigation as they were not allowed to join proceedings despite repeated visits.

Counsel for the complainant would state that the complainant was not joined in the proceedings at the time of alleged recovery of gold articles nor the same have been shown to her.

In view of the above, petition is allowed. Interim bail granted to the petitioners is made absolute, subject to conditions incorporated in order dated 28.5.2020.

The complainant may file an appropriate application either for release of gold articles, already recovered, or to examine those articles.

(Rekha Mittal)
Judge

10.9.2020

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No