

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20092-2020

Date of Decision: 23.07.2020

Madhu Sharma and others

.... Petitioners

Versus

State of UT Chandigarh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. KB Raheja, Advocate for the petitioners.

Mr. Gautam Dutt, APP for UT Chandigarh.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing, due to pandemic Covid-19.

Through this petition under Section 438 read with Section 482 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioners in case FIR No. Nil dated Nil, under Sections Nil, Police Station Ferozepur and for granting protection from arrest on the complaint of respondents No. 3 and 4 and their family members.

Briefly, petitioner No. 2-Yokas is married to respondent No. 3-Chinu Sharma, who is Civil Judge-cum-Judicial Magistrate, Rupnagar. Now, their marriage run into rough weather.

Learned counsel *inter alia* contends that admittedly, as on date, there is no FIR against the petitioners. Earlier also, the petitioners got order dated 20.06.2020 (Annexure P-3) from District and Sessions

Judge, Ferozepur, directing the police of Police Station City, Ferozepur to issue seven days' prior notice to the petitioners, before arresting them in case of registration of any criminal case, on the basis of application of Harbans Lal Sharma, resident of House No. 1441, Sector-34, Chandigarh. Now, upon application of respondent No. 3 levelling similar allegations as contained in earlier application moved before Police Station City, Ferozepur, the petitioners have been called by the Chandigarh police by issuing notice dated 21.07.2020. There is every apprehension that petitioners would be falsely implicated in some case, on the complaint of respondent No. 3, who wants to get rid of petitioners including her husband-respondent No. 2 by taking divorce. For that reason, she is putting pressure upon the petitioners through police. Petitioner No. 2 is ready to give divorce to respondent No. 3

In view of the above and considering the overall facts and circumstances, petitioners are directed to join investigation as and when called by the Investigating Officer. However, in case, petitioners are required for custodial interrogation, in that eventuality, they should be given 7 days' prior notice, under Section 160 Cr.P.C.

Disposed of.

July 23, 2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No