

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

CRM-M-32157-2020

Date of decision:05.11.2020

Bimla Devi and others

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. S.S. Sidhu, Advocate for the petitioners.
Mr. Bhupender Beniwal, AAG, Punjab.
Mr. K.S. Godara, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioners seek anticipatory bail in case bearing FIR No.205 dated 06.09.2020 registered under Sections 365,342,379,323,34 IPC at Police Station City-I, Abohar, District Fazilka.

On 12.10.2020, a Coordinate Bench of this Court passed the following order:-

“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioners seek the concession of anticipatory bail, upon FIR no.205, dated 6.9.2020, having been registered at Police Station City-I, Abohar, District Fazilka, alleging therein the commission of offences punishable under Sections 365/342/379/323/34 of the IPC.

Learned counsel for the petitioners submits that as a matter of fact the entire allegations in the FIR are concocted only to try and get back the girl who is living with petitioner no.3, i.e. Kamla Rani/Kamla Devi, even though she is shown in the FIR to be as one of the co-accused.

Notice of motion.

Mr. Amit Mehta, learned Sr. DAG, Punjab, accepts notice at the asking of the court.

He submits that the FIR was in fact registered after an

enquiry was conducted by a DSP, though it is not denied that petitioner no.3 is living with Kalma Rani, who is alleged to be “the wife of the son of the complainants' mother-in-laws' sister”.

Without making any comment on what has been contended, the petitioners are directed to join investigation and upon them so joining if they are sought to be arrested, they shall be released on bail, on their furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate.

They shall also comply with all conditions stipulated in Section 438(2) of the Cr.P.C.

If the investigating officer does not actually join the petitioners in investigation, they would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join them in investigation, in terms of the order of this court.

Adjourned to 5.11.2020.

A gazetted officer is directed to file a reply to all contentions raised in the petition, without evading any contention raised therein.”

Learned counsel for the petitioners submits that pursuant to the order dated 12.10.2020 passed by a Coordinate Bench of this Court, the petitioners have joined the investigation.

Learned State counsel, on instructions from ASI Vishlesh Kumar, submits that the petitioners have joined the investigation and are not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 12.10.2020 passed by a Coordinate Bench of this Court granting interim bail to the petitioners, is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

05.11.2020

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No