

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

CRM-M-42328-2020(O&M)

Date of decision: 21.12.2020

Ravinder Pal Batra and others

...Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Mohd. Yousaf, Advocate for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C. read with Section 482 Cr.P.C., the petitioners seek anticipatory bail for some time, in case any case is registered against them on the basis of any complaint made by the private respondents, enabling them to approach the competent Court.

Learned counsel for the petitioners submits that no FIR has been registered in the present case as yet. Arvind Batra, brother of petitioners No. 1 to 5 and son of petitioners No. 6 and 7, has been residing in Dubai since 2011 and his marriage was solemnised with respondent No. 7-Nandini in a simple ceremony on 07.10.2019. After marriage, both of them went to Dubai on 30.10.2019. Later they came to India and after having remained in India only for 3 weeks, they went back to Dubai on 07.03.2020.

He further states that the private respondents has moved an application to the Senior Superintendent of Police qua the ill-treatment of

respondent No. 7. The petitioners have appeared before the investigating agency many times in compliance to the notice(s) issued to them. In this premise, the petitioners apprehend arrest at the hands of the police at the behest of the private respondents and thus, they pray for anticipatory bail.

In support of his contentions, learned counsel for the petitioners relies upon the judgment of Hon'ble Supreme Court of India reported as ***Sushila Aggarwal and others Vs. State (NCT of Delhi) and another, 2020 (1) RCR (Criminal) 833.***

Notice of motion.

On the asking of this Court, Mr. Rana Harjasdeep Singh, DAG Punjab, accepts notice on behalf of the respondent-State.

Having heard the learned counsel for the petitioners and while refraining from making any expression as regards the veracity of the averments made in the petition, the same is disposed of with a direction to respondent No. 2- Senior Superintendent of Police, Mohali, that in case an FIR is registered against the petitioners, three days advance notice be issued to the petitioners in order to enable them to approach the appropriate Court for redressal of their grievance.

It is, however, made clear that the aforesaid order shall not bestow any kind of immunity upon the petitioners, in case it is found that they have committed any wrong.

The petition stands disposed of with aforesaid directions.

(HARNARESH SINGH GILL)
JUDGE

21.12.2020

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No