

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-50542 of 2019

Date of Decision: 27.02.2020

Paramjeet Kaur & another

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. J.S. Warring, Advocate
for the petitioners.

Ms. Ruchika Sabharwal, AAG, Punjab.

Ms. Gurvir Kaur Gill, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioners in case FIR No.67 dated 28.06.2019 under Sections 363/366-A/120-B IPC registered at Police Station Khui Khera, District Fazilka.

Learned counsel for the petitioners states that pursuant to order dated 28.11.2019 of this Court, petitioner no.1 has joined investigation whereas petitioner no.2 has been found innocent during investigation.

Learned State counsel, on instructions from ASI Kewal Singh, does not dispute the aforesaid facts.

At this stage, Ms. Gurvir Kaur Gill, Advocate has put in appearance on behalf of the complainant and filed her power of attorney in Court, which is taken on record. She has opposed the bail on the ground that petitioner no.1 is the brain behind the whole incident.

I have heard learned counsel for the parties.

Considering the fact that petitioner no.1 has joined investigation and petitioner no.2 has been found innocent during investigation and as far as the argument raised on behalf of the complainant is concerned, since culpability of petitioner no.1 is yet to be decided during trial, the present petition is allowed and the interim order dated 28.11.2019 is made absolute.

However, the petitioners shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

February 27, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No