

CRM-M-21652-2015

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

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Date of decision: 17.08.2015

Sumit Kudal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Krishan Singh Dadwal, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Punjab.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.48 dated 17.05.2015, under Section 376 of Indian Penal Code, 1860, registered at Police Station Phase XI, Sahibzada Ajit Singh Nagar (Mohali).

While issuing notice of motion, following order was passed by this Court on 07.07.2015:-

“Learned counsel for the petitioner inter alia contends that petitioner has been falsely implicated in the instant case. Even, the allegations contained in the complaint as well as FIR are mainly against co-accused Ram Krishan @ Rahul and at the most, it can be said that present petitioner extended help to

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co-accused Ram Krishan @ Rahul when the prosecutrix is alleged to have been sent from Abohar to Chandigarh. The allegation, if any, is against his co-accused Ram Krishan @ Rahul.

Notice of motion to the respondent for 17.08.2015.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

- (i) that the petitioner shall make himself available for interrogation by a police officer as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India

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without the previous permission of the
Court. ”

Learned State counsel who is assisted by
Sub Inspector Jasmine Kaur has submitted that the petitioner
has joined investigation and is not required for further
investigation.

Accordingly, interim bail granted by this Court to
the petitioner vide order dated 07.07.2015, is made absolute.

Petition stands disposed of accordingly.

August 17, 2015
kapil

(SABINA)
JUDGE