

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

**CRM-M-36824-2015**

**Date of decision: 10.12.2015**

**Khushpuneet Singh**

**... Petitioner**

**Vs.**

**State of Punjab**

**... Respondent**

**CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

Present: Ms. Amandeep Kaur, Advocate  
for the petitioner.

Mr. Daljit Singh Virk, AAG, Punjab.

Mr. S.P.S. Sidhu, Advocate  
for the complainant.

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**RAMESHWAR SINGH MALIK, J. (ORAL)**

Petitioner seeks pre-arrest bail in FIR No.115 dated 27.08.2015 under Sections 376, 457, 511 IPC, registered at Police Station Payal, District Ludhiana.

Notice of motion was issued and interim protection was granted.

Learned counsel for the petitioner submits that it was not at all a case of Section 376 IPC. She further submits that the petitioner has been falsely implicated in the present case because both the families were at the loggerhead since long. She also submits that petitioner has joined the investigation and he is no more required for the purpose of any further investigation. She prays for allowing the present petition.

On the other hand, learned counsel for the State as well as learned counsel for the complainant submits that allegations against the

petitioner were direct and serious, because of which he is not entitled for the concession of anticipatory bail, at the hands of this Court. They pray for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that in the peculiar fact situation obtaining in the present case, petitioner has been found entitled for the concession of anticipatory bail, at the hands of this court. It is so said because there is no allegation against the petitioner for the offence under Section 376 IPC. He has joined the investigation. It is also not even the argued case on behalf of learned counsel for the State or learned counsel for the complainant that the petitioner has ever tried to misuse the concession of interim anticipatory bail granted to him. Since nothing is to be recovered from the petitioner, his custodial interrogation would not be required for the purpose of further investigation.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the case of either side at a later point of time, instant petition is allowed and the order dated 26.10.2015 passed by this Court, is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

**[ RAMESHWAR SINGH MALIK ]**  
**JUDGE**

10.12.2015  
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