

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

CRM-M-5759-2015

Date of decision:- May 07, 2015

Noggi @ Baljinder Singh

....Petitioner...

vs.

State of Punjab

....Respondent...

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Jagjot Singh Lalli, Advocate,
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

JASPAL SINGH, J. (Oral)

This is a petition under Section 438 of the Code of Criminal Procedure preferred by Noggi @ Baljinder Singh, feeling apprehension of his arrest, in case FIR No. 16, dated 12.01.2014, under Section 376 read with Section 120-B IPC, registered at Police Station Jodhewal, Ludhiana (Annexure P-2).

2. Allegations against present petitioner are only that he accompanied main accused namely, Harpreet Singh @ Happy etc. in car when took the prosecutrix to Tajpur road where he (Harpreet Singh @ Happy) committed rape upon her. He has been arrayed as an accused with the aid of Section 120-B IPC. Though, he was nominated as an accused in instant case but during investigation, he was found innocent. However, during trial, on the basis of an

application moved under Section 319 Cr.P.C., he was summoned to stand trial as an additional accused with his co-accused Harpreet Singh. Moreover, during pendency of trial before trial court, prosecutrix has showed her intention to marry Harpreet Singh.

3. As far as petitioner is concerned, he has already joined the proceedings before trial court, in compliance of order dated February 20, 2015 passed by this Court. His presence is only required for the conclusion of trial and petitioner has already undertaken to cooperate with the trial court.

4. Accordingly, interim bail granted by this Court vide order dated February 20, 2015, is made absolute, subject to the conditions envisaged under Section 438 (2) Cr.P.C. However, petitioner is directed to furnish fresh bonds at the satisfaction of trial court, which shall be at liberty to impose condition(s), if any, if, it thinks so.

(JASPAL SINGH)
JUDGE

May 07, 2015
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