

CRM-M-25584-2016

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

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Date of Decision: 07.11.2016

Ramesh Singh @ Harmesh Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.P.S.Duggall, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab.

Mr. Lajpat Sharma, Advocate for
Mr. Parvesh Sachdeva, Advocate for
the complainant.

Mr. Gautam Dutt, APP for U.T. Chandigarh.

INDERJIT SINGH, J.

Petitioner, Ramesh Singh @ Harmesh Singh, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.44 dated 27.03.2016, registered at Police Station Sadar Fazilka, District Fazilka, under Sections 365 and 342 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the petitioner; learned State

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counsel; learned counsel for the complainant as well as learned APP for U.T. Chandigarh and have gone through the record. Police record is also available.

Alleged detenue-Manisha has been produced in the Court, who stated that she is staying voluntarily with the present petitioner with her own wish. She also stated that she has married with the son of the petitioner, who is in custody.

Manisha is major and staying voluntarily with the present petitioner as per her own statement. From the record, I find that the petitioner has joined the investigation. He is now not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 28.07.2016 passed by this Court, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

07.11.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No