

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

CRM-M -11033 of 2017 (O&M)

Date of decision: 19.07.2017

Joginder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Saurabh Arora, Advocate for the petitioner(s).

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by HC Pawan Kumar.

None for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.0027 dated 22.02.2016, registered under Sections 376-D and 506 of IPC, at Police Station Cantonment, District Police Commissionerate, Amritsar.

On 04.05.2017, this Court had passed the following order:-

“Complainant Pooja is present in Court and states that she does not know the petitioner and in this regard she has already given an affidavit that she does not know the petitioner, Gulzar Singh and Pamma.

Adjourned to 19.07.2017.

Meanwhile, the petitioner is directed to join the investigation as and when called by the Investigating

Officer. In the event of his arrest, he shall be released on bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions mentioned below, as envisaged in Section 438(2) Cr.P.C:-

- i. a condition that the person shall make himself available for interrogation by Police Officer as and when required;*
- ii. a condition that the person shall not, directly or indirectly make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;*
- iii. a condition that the person shall not leave India without the previous permission of the Court;*
- iv. such other condition as may be imposed under sub section (3) of Section 437, as if the bail was granted under that section.”*

It is contended that in pursuance of the order dated 04.05.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 04.05.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

19.07.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No