

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

CRM-M-14613-2017

Date of decision: 25.09.2017

Kulwinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. RVS Chugh, Advocate,
for the petitioner.

Mr. Saurav Khurana, D.A.G., Punjab.

Mr. Sunita Gupta, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (ORAL)

This is a petition for grant of anticipatory bail to the petitioner in case FIR No.57 dated 08.03.2017 under Sections 376/323/326/506 IPC, registered at Police Station Division 5, Ludhiana, Distt. Ludhiana.

This Court was pleased to pass the following order on 28.04.2017 :-

“Learned counsel, inter alia, contends that as per FIR (Annexure P-1) no offence punishable under Section 376 IPC is made out against the present petitioner.

Notice of motion for 17.07.2017.

At this stage, Ms. Sunita Gupta, Advocate, accepts notice on behalf of respondent No.2 and does not dispute the above-said fact.

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.”*

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State confirms the aforesaid fact.

Learned counsel for respondent No.2 also submits that the complainant has no objection in case the interim protection granted to the petitioner is confirmed.

Since the petitioner has joined the investigation and there is no objection of the complainant regarding confirmation of the bail, the petition is allowed and interim order dated 28.04.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

25.09.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.