

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

CRM-M-16378-2017 (O&M)

Date of Decision: 26.05.2017

Gagandeep Singh Petitioner

Versus

State of Punjab and another Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Vaibhav Narang Advocate, for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. Umesh Aggarwal, Advocate, for respondent No.2.

LISA GILL, J.

The petitioner seeks concession of anticipatory bail in FIR No. 72 dated 29.09.2016 registered under Sections 376 ,376(D), 420,120-B of the IPC at Police Station Bhindi Saidan, District Amritsar.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case. The petitioner's father, a co-accused, has been acquitted of the charges against him within a week of framing of the charges, as the prosecutrix has not supported the case. The prosecutrix specifically denied that the petitioner or his father are involved in the commission of the crime. The petitioner is not a proclaimed offender though proceedings have been initiated. It is submitted that the petitioner has joined investigation. Therefore, this petition be allowed.

Learned counsel for the State on instructions from HC Harjit Singh verifies that the petitioner has joined investigation. His custodial interrogation, it is submitted is not required in this case.

Learned counsel for the State as well as respondent No. 2 affirm and verify that the prosecutrix has not supported the prosecution version and the co-accused i.e. the petitioner's father has been acquitted of the charges against him. The prosecutrix has denied the involvement of the petitioner or his father in the commission of the crime.

There is no allegation on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, the interim order dated 10.05.2017, passed by this Court, is made absolute.

26.05.2017

PA

(LISA GILL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No