

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

**CRM-M-19957-2016
Date of decision-14.03.2017**

**Rakesh Kumar @ Kaku
Vs.
State of Punjab**

**...Petitioner

...Respondent**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

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.37 dated 18.03.2016, registered under Sections 452, 323, 380 and 506 of Indian Penal Code at Police Station Division No.5, District Ludhiana, Punjab.

On 02.06.2016 this Court had passed the following order:-

“Petitioner apprehends arrest in a case registered at the instance of Keshri alleging that Rakesh Kumar petitioner owes a sum of Rs.1500/- as balance of delivery charges of his wife. Aggrieved by the demand of the complainant, he had entered the house of the complainant and given wooden rod blow on her head as a result of which she not only suffered injuries but was deprived of her ear ring, nose ring and a Nokia mobile phone.

Notice to the Advocate General, Punjab, 3.8.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 11.6.2016, 25.6.2016 and 2.7.2016 or on any other day as required by the investigating officer. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.

MLR, if any, of the complainant be made available by the investigating officer on next date of hearing.”

The learned State counsel, submits that the petitioner has repeatedly joined the investigation and the recovery of ear rings, nose pin and Nokia mobile phone has not yet been effected.

The State counsel has failed to refer to any MLR or receipt of the ear rings, nose pin and mobile phone of the complainant.

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 02.06.2016 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.

(JITENDRA CHAUHAN)
JUDGE

March 14, 2017

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