

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

CRM-M -25713 of 2017 (O&M)
Date of decision: 29.08.2017

Babu Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Narinder Singh, Advocate for the petitioner(s).

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by HC Amandeep Singh.

Mr. M.S. Tiwana, Advocate 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.0057 dated 27.06.2017, registered under Sections 354-B, 456 and 506 of IPC, at Police Station Jhunir, District Mansa.

On 20.07.2017, this Court had passed the following order:-

“Learned counsel contends that the petitioner did not enter house of the complainant. In fact he was standing over the roof of his room.

Notice of motion for 29.08.2017.

At this stage Mr. Manjot Singh Tiwana, Advocate causes representation on behalf of the complainant and states that in fact petitioner also had scaled the boundary wall of the house of the complainant and had climbed to the roof of his house.

The petitioner is directed to join the investigation.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court.”*

It is contended that in pursuance of the order dated 20.07.2017, 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. The challan stands presented.

The learned counsel for the complainant states that the assertion raised by the petitioner that he did not scale the boundary wall is against the record.

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 20.07.2017, 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.

29.08.2017

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(JITENDRA CHAUHAN)
JUDGE

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