

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

Crl. Misc. M-28606 of 2016 (O&M)
Date of Decision: December 07, 2017

Rakesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. G.K. Mann, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG Punjab.

Mr. Karanjit Singh, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.79 dated 17.07.2016, under Sections 498-A, 34 of the Indian Penal Code, registered at Police Station Majitha, District Amritsar.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is submitted that pursuant to the order dated 08.11.2017 passed by this court, the petitioner has paid a sum of Rs.20,000/- in the executing court under Section 125 Cr.P.C. It is also contended that nothing is to be recovered from him.

Learned DAG Punjab for the respondent-State, on instructions from Investigating Officer, submits that petitioner has joined the investigation and he is not required for the custodial interrogation.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 19.08.2016 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i) (ii) and (iii) of the Code of Criminal Procedure.

December 07, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No