

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

**Crl. Misc. No. M-29110 of 2017  
Date of Decision : October 06,2017**

**Sukhwinder Singh @ Bhola.....Petitioner**

**Versus**

**State of Punjab ..... Respondent**

**CORAM : HON'BLE MRS. JUSTICE LISA GILL**

...

Present: Mr. B.S.Jaswal, Advocate  
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

...

**LISA GILL, J. (Oral)**

The petitioner seeks the concession of anticipatory bail in FIR No. 142 dated 14.12.2011 under Sections 452, 323, 354, 427, 148, 149 IPC and Sections 376, 511 IPC (added later on) registered at Police Station Goindwal Sahib, Distt. Tarn Taran.

Contentions on behalf of the petitioner while issuing notice of motion read as under:-

*“It is contended that the FIR No.142 in this case was registered on 14.12.2011, under Sections 452, 323, 354, 427, 148, 149 IPC, Police Station Goindwal Sahib, District Tarn Taran. The matter was inquired into by a Special Investigating Team consisting of SP(D) Amritsar (Rural), DSP(D) Amritsar (Rural) and SHO, Police Station Beas. Cancellation of the said case was*

*recommended by this Special Investigating Team.*

*The complainant had preferred CRM-M-4572 of 2012 (O&M) before this Court for fair investigation in the matter. The said petition was disposed of on 27.01.2015 (Annexure P-4) with the observation that in view of the cancellation report submitted yet again, no interference is called for by this Court, however the complainant, is so advised would be at liberty to challenge the cancellation report by filing a protest petition.*

*Thereafter, the complainant it is submitted filed a protest petition. She also filed a complaint under Sections 147, 148, 352, 376, 452, 323, 342, 376, 376-B, 120-B IPC and the petitioner along with others were summoned under Sections 354, 427, 452, 323, 342, 148, 149 IPC vide order dated 28.09.2016 (Annexure P-5). Petitioner appeared before the learned trial Court in the said matter. However, in a total illegal and mala fide manner Sections 376, 511 IPC have been added in FIR No. 142 dated 14.12.2011 now in the year 2017. The petitioner, it is submitted is ready and willing to join the investigation.”*

Learned counsel for the petitioner submits that the petitioner has joined investigation pursuant to interim order dated 10.08.2017. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Manmohan Singh, Police Station Goindwal Sahib, District Tarn Taran, verifies that the petitioner has joined investigation pursuant to interim orders passed by this Court and his custodial interrogation is not required.

No recovery is to be effected from him. The petitioner is not reported to be involved in any other criminal case. There is no allegation that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the learned trial Court, if released on bail.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition. Consequently, order dated 10.08.2017 is made absolute.

**06.10.2017**  
*rupi*

**( LISA GILL )**  
**JUDGE**

**Note:** Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No