

**205(2) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM M-36721 of 2017.

Date of Decision: 13.11.2017.

Lakhwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Ms. Sarika Gupta, Advocate,
for the petitioner.

Ms. Anju Arora, Addl. AG Punjab
assisted by ASI Raj Kumar.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438

Cr.P.C seeking anticipatory bail in case FIR No. 37 dated 29.04.2017

registered under Sections 354, 341 and 323 read with Section 34 IPC

at Police Station Kathgarh, District S.B.S. Nagar.

On 23.10.2017 this Court had passed the following
order:-

“Notice of motion for 13.11.2017.

At the asking of the Court, Ms. Monika Jalota, DAG, Punjab,
accepts notice. A complete copy of the paper book has been
handed over to learned State counsel, in the Court.

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 the first version recorded by the complainant on 19.04.2017 there is no mention with regard to outraging the modesty of the complainant. In the second version which was recorded after due deliberations and consultations on 29.04.2017, allegations of outraging the modesty have been levelled. It is further contended that in pursuance of the order dated 23.10.2017, the petitioner has joined the investigation.

Learned State counsel, on instructions, states that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of above, the order dated 23.10.2017 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioner to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

13.11.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No