

Criminal Misc. M- No. 41890 of 2016 (O&M)

Date of decision : February 07, 2017

Manpreet Singh alias Laddu

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Rajesh Narang, Advocate
for the petitioner.

Ms. Shivali, AAG, Punjab.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 76 dated 24.09.2016 registered under Section 366/376 IPC at Police Station Arniwala, District Fazilka.

Learned counsel for the petitioner submits that the complainant is a major and if at all she had accompanied the petitioner it was out of her own free will and volition. No offence under Sections 366, 376 IPC is made out against the petitioner. It is further submitted that even a bare reading of the FIR does not disclose any offence qua the petitioner. The complainant is admittedly a major and is pursuing the course of BCA. Furthermore vague allegations have been raised in the FIR. Pursuant to order dated 23.11.2016, the petitioner has joined investigation. His custodial interrogation is not required. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Kirpal Singh, Police Station Arniwala affirms and verifies that the petitioner has indeed joined investigation. It is submitted that his custodial interrogation is not required. It is also informed that the complainant in her statement under Section 164 Cr.P.C. has stated that the petitioner is innocent.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Order dated 23.11.2016 is made absolute.

February 07, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No