

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

CRM No. M-46063 of 2016 (O&M)

Date of Decision: 14.09.2017.

Simranjeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. D.S. Pheruman, Advocate,
for the petitioner.

Mr. AS Gill, Sr. DAG Punjab
assisted by ASI Narinder Singh.

Prosecutrix in person with
Ms. Savita, Advocate.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438
the Cr.P.C seeking anticipatory bail in case FIR No. 102 dated
04.10.2016 registered under Section 376 IPC at Police Station Phase
11, District SAS Nagar.

On 17.03.2017 this Court had passed the following
order:-

“An affidavit of Senior Superintendent of Police, S.A.S. Nagar
(Mohali) has been filed in Court stating that a Special Investigation
Team (SIT) comprising of Deputy Superintendent of Police, City-
II, SHO, Phase- 11 and ASI Balraj Singh has been constituted to
investigate the present case.

Adjourned to 08.05.2017 to enable the respondent to file a status
report.

Meanwhile, the petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the following conditions, as envisaged under Section 438(2) Cr.P.C:-

- (i) that the petitioner shall make himself available for interrogation by a police officer as and when required;
- (ii) that the petitioner 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 them from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the previous permission of the Court.
- (iv) such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section. ”

It is contended that in pursuance of the order dated 17.03.2017, the petitioner has joined the investigation.

Learned State counsel, on instructions, states that the petitioner has made a proposal to marry her. However, she states that it is not acceptable to her. The petitioner has joined the investigation and he is not required for custodial interrogation.

In view of above, the order dated 17.03.2017 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.

14.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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