

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

Crl. Misc. M-25008 of 2018 (O&M)
Date of Decision: July 24, 2018

Harpreet Singh @ Happy

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. D.R. Punia, Advocate
for the petitioner.

Ms. Seena Mand, DAG Punjab.

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.49 dated 21.07.2017, under Sections 363, 366-A, 34 of the Indian Penal Code, registered at Police Station Sarai Amanat Khan, District Tarn Taran.

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 also contended that nothing is to be recovered from him.

At this stage, Mr. M.K. Bhatnagar, Advocate puts in appearance on behalf of the complainant and files the power of attorney, which is taken on record. He opposes the grant of anticipatory bail to the

petitioner, while submitting that the offences alleged against the petitioner are serious in nature. It is contended that on the relevant date, the daughter of the complainant was minor, having born on 16.02.2001.

Learned State counsel, on instructions from ASI Gurwariyan Singh, submits that petitioner has joined the investigation and he is not required for the custodial interrogation, apart from the fact that as on date, the daughter of the complainant is a major and residing in her matrimonial home and expecting a baby.

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 04.06.2018 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.

July 24, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No