

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

Crl. Misc. M-30697 of 2018 (O&M)
Date of Decision: October 29, 2018

Rahul @ Rahul Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sumeet Singh Arora, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, 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.84 dated 12.05.2018, under Sections 363, 366-A of the Indian Penal Code, registered at Police Station Dinanagar, District Gurdaspur.

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.

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

At this stage, Ms. Harmeet Kaur, Advocate puts in appearance on behalf of the complainant and files the power of attorney, which is taken on record. She submits that the girl is minor, while also bringing order dated 16.10.2018 to the notice of the court that Criminal Writ Petition No.811 of 2018 is pending in this regard.

I have heard learned counsel for the parties and have gone through the order so passed.

The proceedings in the aforesaid criminal writ petition are pending for 13.12.2018, in which detenue-Aarti is directed to be produced in the court, whereas, the instant petition is for grant of anticipatory bail to the petitioner. 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 27.07.2018 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.

October 29, 2018

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No