

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

**CRM-M-43409-2017  
Date of decision: 12.03.2018**

Kamaljeet Sharma

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Gurbir Singh Sidhu, Advocate,  
for the petitioner.

Mr. A.S. Sandhu, Addl. Advocate General, Punjab.

Mr. G.S. Sandhu, Advocate,  
for the complainant.

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**JAISHREE THAKUR, J. (ORAL)**

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 65 dated 21.09.2017 under Section 376 IPC, registered at Police Station Kheri Gandian, District Patiala.

Reply by way of affidavit of Harjinder Singh, Deputy Superintendent of Police Circle Ghanour, District Patiala has been filed in Court, which is taken on the record.

This Court was pleased to pass the following order on 16.11.2017 :-

*“Learned counsel contends that the prosecutrix is 35 years of age and mother of two children. She was in relationship with the petitioner for the last 09 years. Learned counsel refers to Annexure P-3 (colly) to state that the*

*prosecutrix was a consenting party.*

*Notice of motion for 19.12.2017.*

*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.”*

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State, on instructions from ASI Gurmeet Singh, confirms the factum of joining investigation by the petitioner.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 16.11.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

**12.03.2018**

*Satyawan*

**(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes.  
No.