

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

Crl. Misc. M-49127 of 2017 (O&M)

Date of Decision: October 10, 2018

Amit Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Supriya Garg, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG Punjab.

Ms. Ashima Mor, Addl. P.P., UT, Chd.

Mr. R. S. Pandher, Advocate
for the complainant.

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 the event of arrest in FIR No. 370 dated 01.11.2017 under Section 376 of the Indian Penal Code, registered at Police Station Zirakpur, SAS Nagar.

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.

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 21.12.2017 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 10, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No