

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

**CRM-M-49635-2017
Date of Decision: 02.04.2018**

Vinod

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. N. S. Shekhawat, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. A.G., Punjab.

None for respondent No. 2.

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. 53 dated 01.04.2016, registered under Section 376-D of the IPC at Police Station City Rupnagar.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case. Counsel for the petitioner argues that after registration of the FIR on 01.04.2016, an affidavit was filed immediately thereafter to the effect that the statements which were made before the police and the Magistrate were made on account of mental disturbance and the petitioner was not at fault. It is also submitted that on the direction of this Court, the petitioner has joined the investigation and nothing is to be recovered from him.

Mrs. Anju Arora, Addl. A.G., Punjab, on instructions from the Investigating Officer, submits that the 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 22.12.2017, 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.

02.04.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No