

207.

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

CRM-M-15535-2018 (O&M)

Date of decision:13.03.2019.

SAMEER

... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Ramandeep Singh Pandher, Advocate,
for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, Punjab.

Mr. Arjun Veer Sharma, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

CRM-26551-2018

Prayer in this application filed under Section 482 Cr.P.C. is to
amend the head note of the petition.

For the reasons stated in the application, same is allowed and
the petition with the amended head note is taken on record.

CRM-M-15535-2018

Prayer in this petition filed under Section 438 Cr.P.C. is for
grant of pre-arrest bail to the petitioner in case FIR No.0032 dated
10.02.2018 registered under Sections 363, 366, 328, 354-D & 506 of IPC
(Section 376 of IPC and Sections 3 & 4 of Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, 1989 added lateron) at Police Station

Division No.3, Ludhiana.

Vide order dated 19.04.2018, this Court, while issuing notice of motion, had granted interim bail to the petitioner, subject to his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer and to comply the conditions as provided under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from HC Nirmal Singh, states that the petitioner has joined the investigation and his custodial interrogation is no more required at this stage.

At the same time, learned counsel for the complainant states that the petitioner is extending threat to the complainant and there is a statement under Section 164 Cr.P.C. against the petitioner.

I have heard learned counsel for the parties.

So far as the argument of the counsel for the complainant that the complainant is being given threat by the petitioner, learned State counsel, on instructions from the IO present in the Court, states that the allegation of threat has been looked into by the police, but no substance was found in the allegation. Similarly the argument that in the statement under Section 164 Cr.P.C., the complainant has deposed against the petitioner is concerned, the same would be considered during the trial.

Since the petitioner has joined the investigation and his custodial interrogation is no more required, present petition is allowed and the interim bail granted to the petitioner vide order dated 19.04.2018 is made absolute.

However, if required, the petitioner shall continue to join

investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

(HARI PAL VERMA)
JUDGE

13.03.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No