

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

203

**CRM-M No. 44356 of 2018
Date of decision : 28.5.2019**

Balkar Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. G.K. Mann, Advocate, for the petitioner

Mr. Harpreet Multani, AAG, Punjab

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 438 Code of Criminal Procedure (in short, “Cr.P.C.”) for grant of anticipatory bail to the petitioner in case FIR No.107 dated 25.7.2018 registered for the offences punishable under Sections 376/34 of Indian Penal Code (for short, “IPC”), at Police Station Bhikhiwind, District Tarn Taran. (Sections 376-D, 363 and 366 of IPC were added later on).

Heard.

Learned counsel for petitioner submits that allegations levelled against some unknown persons that they forcibly abducted the prosecutrix, took her in a house and committed rape upon her. No identification parade was conducted. No allegation has been levelled against the petitioner.

Daughter of the Balkar Singh lodged the FIR against cousins of the

complainant, which is still pending. Shisha Singh is brother-in-law of said Balkar Singh. The petitioner has joined the investigation and no more required for further interrogation.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 8.10.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the trial Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

(RAJ SHEKHAR ATTRI)
JUDGE

28.5.2019

Ashwani

Speaking/reasoned	Yes/No
Reportable	Yes/No