

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

**AT CHANDIGARH**

**Criminal Misc. No.M-45985 of 2018**

**Date of Decision: 30.01.2019**

Ram Lubhaya

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

**CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- Mr. Himanshu Puri, Advocate  
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.  
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**HARI PAL VERMA, J. (Oral)**

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.158 dated 05.07.2017 under Sections 354, 354-B, 427, 509, 34 IPC registered at Police Station Kotwali, District Kapurthala.

Learned counsel for the petitioner states that pursuant to order dated 17.10.2018 of this Court, the petitioner has joined investigation and his custodial interrogation is no more required. He further submits that the FIR in question was lodged after five days of the incident and not after 5 years, as recorded in order dated 17.10.2018.

Learned State counsel does not dispute the fact that the petitioner has joined the investigation and his custody is no more required.

I have heard learned counsel for the parties.

Considering the fact that the petitioner has joined investigation and his custody is no more required, the present petition is allowed and the interim order dated 17.10.2018 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

**January 30, 2019**  
**AK**

**( HARI PAL VERMA )**  
**JUDGE**

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No