

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

209-2

CRM-M-33576-2019

Date of Decision : 05.12.2019

Sukjit Singh @ Gurcharan Singh Fauji

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA

Present: Mr. Saurabh Kapoor, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Sangeet Pal Singh Baghi, Advocate
for the complainant.

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.0168 dated 21.12.2018 under Sections 384, 376, 506, 120-B IPC registered at Police Station Hathur, District Ludhiana-Rural.

On 20.08.2019, this Court has passed the following order:-

“Learned counsel for the petitioner has argued that the allegation in the FIR that the prosecutrix has sold her land for a sum of Rs.33 lacs to Beant Singh son of Atma Singh is incorrect. In fact, she never owned any land and therefore, there is no question of selling it. The petitioner has not taken Rs.30 lacs on the pretext of loan as

alleged. He further states that the allegations of committing rape upon the prosecutrix are wrong and at the most it can be a case of consensual relationship.

Notice of motion for 30.08.2019.

At this stage, Mr. Sangeet Pal Singh Baaghi, Advocate, has put in appearance on behalf of the complainant and filed his power of attorney, which is taken on record.”

Thereafter, vide order dated 30.08.2019, while adjourning the case for 27.09.2019, the petitioner was admitted on interim bail and was directed to join the investigation.

Learned counsel for the petitioner states that pursuant to the order dated 30.08.2019 of this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Badher Singh, does not dispute the aforesaid fact and submits that the custody of the petitioner 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 30.08.2019 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.

December 05, 2019

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(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No