

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

208

CRM-M-28515-2020

Date of decision: 27.10.2020

Sukhwinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Kashish Garg, Advocate
for the petitioner.

Mr. Sukhbeer Singh, Asstt. A.G., Punjab
for respondent No.1-State.

ARUN KUMAR TYAGI, J (ORAL)

(The case has been taken up for hearing through video conferencing.)

The petitioner has filed the present (first) petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C") for grant of anticipatory bail in case FIR No.103 dated 26.07.2020 registered under Section 366 of the Indian Penal Code, 1860 at Police Station Jaito, District Faridkot.

While issuing notice of motion on 18.09.2020, this Court had granted interim anticipatory bail to the petitioner with direction to join the investigation.

The petition has been opposed by the learned State counsel. However, no reply has been filed by respondent No.1-State.

Vide order dated 18.09.2020 passed by this Court, the complainant was impleaded as respondent No.2 but notice could not be

issued to him as process fee was not filed by the petitioner.

I have heard learned counsel for the petitioner and learned State counsel and have gone through the record.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present FIR lodged by father of Manpreet Kaur who being aged about 24 years had solemnized marriage with the petitioner and also filed protection petition CRWP-5198-2020 titled as 'Manpreet Kaur and another versus State of Punjab and others' which was disposed of by this Court vide order dated 24.07.2020 with direction to Senior Superintendent of Police, Faridkot to take appropriate action for protection of their life and liberty. Co-accused have been granted anticipatory bail by this Court vide order dated 27.08.2020 passed in CRM-M-24573-2020. In compliance with order dated 18.09.2020, the petitioner has joined the investigation.

Learned State counsel has, on instructions from SI Bikramjeet Singh, acknowledged that in compliance with order dated 18.09.2020 passed by this Court, the petitioner has joined the investigation and also submitted that his custodial interrogation is not required as the police is preparing the cancellation report in the case.

Since the police is preparing cancellation report, presence of the complainant is not now necessary for disposal of the present petition.

In view of the facts and circumstances of the case and also the fact that custodial interrogation of the petitioner is not required by the police which is preparing cancellation report, the petition is allowed

and order dated 18.09.2020 granting interim bail to the petitioner is made absolute subject to compliance with conditions enumerated in Section 438 (2) of the Cr.P.C. by the petitioner.

27.10.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No