

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32404-2019 (O&M)

Date of Decision: September 22, 2020

Manjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.K.Singla, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.55 dated 05.05.2019, under Sections 376 and 120-B IPC, 1860, registered at Police Station, Sadar Bathinda. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 25.08.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“CRM-20468-2020

Application is allowed. The hearing of the main petition i.e. CRM-M-32404-2020 is preponed and the same is taken up on the Board of this Court today itself.

CRM-M-32404-2020

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. Further, the first informant/prosecutrix has also given an affidavit that the petitioner has no connection with the alleged offence. He further contends that the case set up by the prosecution has inherent contradictions and therefore, not believable.

Notice of motion.

On the request of this Court, Mr. Dhruv Dyal, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent. Keeping in view the aforesaid facts, the petitioner is directed to join the investigation.

In the event of arrest of the petitioner, he shall be released on interim pre-arrest bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from SI Krishan Kumar, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail

granted by this Court vide order dated 25.08.2020 is made absolute.

September 22, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No