

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

Crl. Misc. M- 39075-2019 (O&M)

Date of Decision: January 23, 2020

Rakesh Kumar

... Petitioner

Versus

State of Punjab

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Harmeet Kaur, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, Asstt. A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 40 dated 30.06.2019 under Sections 376, 506 Indian Penal Code registered at Police Station Fatehgarh Churian, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the directions dated 13.09.2019 of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

Learned State counsel, on instructions from the Investigating Officer-ASI Gurpreet Singh, submits that petitioner has joined the investigation and he is not required for the custodial interrogation.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 13.09.2019 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section (2) Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

January 23, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No