

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

(Sr. No. 201)

**CRM-M No.1793 of 2021
Date of decision : 25.11.2021**

Darshan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. J. S. Sidhu, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 82 dated 14.10.2015, registered under Sections 377/506 IPC at Police Station City Budhala, district Mansa.

On 18.01.2021 this Court had passed the following order : -

“Case taken up through Video Conferencing.

Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case; the FIR was lodged on 14.10.2015 and for 5½ years the police has taken no action; medical evidence clearly demolishes the case of the prosecution as in the same no injury whatsoever is found on the complainant; there is no other criminal case in which the petitioner is involved; as per statements (Annexure P-2 and P-3) the complainant party has retracted from the statement which forms the basis of the FIR in question and that the petitioner is ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.

Mr. Amit Mehta, Sr. D.A.G. Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 03.05.2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.82, dated 14.10.2015, registered under Sections 377, 506 IPC at Police Station City Budhala, District Mansa, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; cooperated with the investigating agency and that his custodial interrogation is not required by the State.

After considering the totality of the facts as noted above and in particular the statement made by learned State counsel that in terms of the afore-quoted order of this Court, the petitioner has joined the investigation; cooperated with the investigating agency and that his custodial interrogation is not required by the State, the interim order of this Court dated 18.01.2021 granting ad interim anticipatory bail to the petitioner is made absolute.

25.11.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No