

CRM-M- 6121-2020 (O&M)

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

**CRM-M- 6121-2020 (O&M)
Date of Decision: 14.09.2021
(Heard through VC)**

Vivek Kumar Pathak

..... Petitioner

VERSUS

Union Territory Chandigarh

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Tarunjit Singh Grewal, Advocate
 for the petitioner.

Mr. Deepinder Brar, Addl. P.P., UT, Chd.

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 FIR No. 395 dated 19.12.2019 under Sections 376(2)(n) IPC registered at Police Station Sector 17, Chandigarh.

Learned counsel for the petitioner contends that the petitioner has joined the investigation. It is also contended that nothing is to be recovered from the petitioner.

Learned State counsel, on instructions from ASI Davinder Singh, submits that in terms of order dated 12.02.2020, the petitioner has already 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

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commenting on the merits of the case, the petition is allowed and order dated 12.02.2020 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

14.09.2021

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**(JAISHREE THAKUR)
JUDGE**