

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

CRM-M No.11751 of 2019 (O&M)

Date of Decision:27.07.2021

(Heard through VC)

Ramjot Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ramandeep Singh Pandher, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Janak Singh Bhinder, Advocate
for respondent No.3.

JAISHREE THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.39 dated 02.02.2019 registered under Section 376 IPC, 1860 (Section 366 IPC added vide order dated 6.4.2021) at Police Station Cheeka, District Kaithal.
2. By an order dated 03.04.2019, this Court had granted interim bail to the petitioner and directed him to join investigation.
3. Counsel for the petitioner would contend that the petitioner has been falsely implicated in the matter under Section 376 IPC as would be evident from the statement given by complainant and complainant's father, apart from the photographs which have been annexed with the said petition.
4. Whereas, counsel appearing on behalf of the complainant

would oppose grant of anticipatory bail to the petitioner by contending that recovery of Rs.2 lakhs and a pistol has to be effected from the petitioner herein.

5. Counsel appearing on behalf of respondent-State of Punjab (as the matter was transferred there) on instructions from SI Sohan Singh would submit that petitioner has joined investigation as far back as 06.05.2019 and his custody would no longer be required.

6. I have heard counsel for the parties and in view of the fact that petitioner has joined the investigation as far back as 06.05.2019 and the question of recovery of pistol and Rs.2 lakhs would be a matter of trial, the instant petition is allowed and the order dated 03.04.2019 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

July 27, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No