

208(2)

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-16973-2021

Date of decision-26.10.2021

RAKESH KUMAR ALIAS RINKU

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.D. Sachdeva, Advocate  
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

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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.35 dated 05.03.2021, under Sections 306/34 Indian Penal Code, 1860, registered at Police Station Goraya, District Jalandhar. 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 23.04.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the petitioner is brother of Rimpay (wife of deceased) and has been falsely implicated in this case. Further reliance has been placed upon the order dated 09.04.2021 whereby his co-accused has been granted in the pre-arrest bail.*

*Notice of motion 08.10.2021.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.*

*To be heard along with CRM-M-15829-2021.”*

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, who is assisted by ASI Harjeet Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 23.04.2021 is made absolute.

**(MANOJ BAJAJ)**  
**JUDGE**

**26.10.2021**

*Vipin kumar*

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |