

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Through Video Conferencing)**

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**CRM-M-17752-2021(O&M)
Decided on : 04.10.2021**

JASBIR SINGH @ JASSI

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. K.S. Sidhu, Sr. Advocate with
Mr. Dushyant Sarvesh, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG Punjab
assisted by HC Princideep Singh.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.83 dated 11.05.2020 under Sections 376 and 506 of the IPC, registered at Police Station Talwandi Sabo, District Bathinda.

It is the case of the petitioner that initially when the FIR in question was registered, the petitioner was arrested and after investigating into the matter, an application was moved by the Deputy Superintendent of Police, Talwandi Sabo before the Illaqa Magistrate concerned seeking discharge of the petitioner from custody. Resultantly, vide order dated 30th July 2020, the learned JMIC Talwandi Sabo, discharged the petitioner. It

was also urged that a written statement was filed by the Deputy Superintendent of Police, Talwandi Sabo, wherein he stated that the petitioner aged 60 years had a dispute with the victim aged 26 years qua payment of house rent. It had also been contended that as per the prosecutrix, the petitioner had allegedly raped her, however, while lodging the FIR, the prosecutrix had herself stated that she had failed to bring to the notice of anyone, much less, disclose about the alleged rape for almost 03 months.

Vide order dated 28th April, 2021, the co-ordinate Bench of this Court had directed the petitioner to join investigation.

Learned Senior counsel for the petitioner submits that in compliance of order dated 28th April, 2021, the petitioner has joined investigation.

Learned State counsel on instructions from HC Prindeep Singh does not dispute the said fact and submits that the petitioner is not required for custodial interrogation. He has also apprised the Court that challan stands presented in the instant case.

In view of the above, the petition is allowed and interim order dated 28th April, 2021 is made absolute subject to the conditions laid down in Section 438(2) CrPC.

(MANJARI NEHRU KAUL)
JUDGE

October 04, 2021
S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>