

205.

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

CRM-M-21596-2021

Date of Decision: 28.09.2021

(Heard through VC)

MANOJ KUMAR @ TINKU

.... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vishal Rattan Lamba, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Arshdeep Singh Brar, Advocate, for respondent No.2.

JAISHREE THAKUR.J (Oral)

The instant petition has been filed under Section 438 read with Section 482 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.21, dated 05.02.2021, registered under Sections 376/506 of IPC (Section 3(1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, added lateron) at Police Station Sardulgarh, District Mansa.

By an order dated 31.05.2021, this Court had granted interim bail to the petitioner and directed him to join investigation.

Short reply by way of an affidavit, filed on behalf of respondent No.1-State, is taken on record.

Learned counsel for the petitioner would contend that the allegations, as set out in the FIR, would not constitute an offence of rape as defined under Section 375 IPC. Moreover, the matter has been settled amicably between the parties by way of panchayati compromise. It is further submitted that pursuant to the order dated 31.05.2021, the petitioner herein has joined investigation.

Learned counsel appearing on behalf of the respondent-State, on instructions from ASI Bhupinder Singh, would submit that the petitioner has joined investigation. However, there is a possibility that he would influence the witnesses.

Mr. Brar, counsel appearing on behalf of respondent No.2 would submit that the complainant has no objection in case the anticipatory bail is confirmed.

I have heard learned counsel for the parties.

In view of the fact that the petitioner has joined investigation, the instant petition is allowed and the order dated 31.05.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

(JAISHREE THAKUR)
JUDGE

28.09.2021

sanjeev

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