

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

203-2

(Through Video Conferencing)

CRM-M-2975-2021

Date of decision: 08.02.2022

Vinod Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Baljinder Singh, Advocate for
Mr. Harjot Singh Mann, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

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.124 dated 09.11.2020 under Sections 493, 376 and 506 IPC, registered at Police Station City Nakodar, District Jalandhar.

Status report by way of affidavit of Lakhwinder Singh Mal, PPS, Deputy Superintendent of Police, Sub Division Nakodar, District Jalandhar (Rural) has been filed which is taken on record, subject to all just exceptions.

Learned counsel for the petitioner, while inviting the attention of this Court to the allegations levelled in the FIR in question, submits that no role has been attributed to the petitioner for having committed any offence under Section 376 IPC. Learned counsel submits that the petitioner has been named as an accused only because he happens to be a relative of co-accused Rajinder Sondhi with whom

the prosecutrix, aged 26 years, was in a consensual relationship. Learned counsel further submits that in compliance of order dated 25.01.2021, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Balwinder Singh, does not dispute the factum of the petitioner having joined investigation and cooperated during his investigation and hence not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 25.01.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

08.02.2022

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No