

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

215

CRM-M-11371-2022

Date of Decision:19.09.2022

MOHAMMAD RAFI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Liaqat Ali, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Vishal Sharma (Vasudeva), Advocate
for the complainant.

SUVIR SEHGAL, J.(ORAL)

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.50 dated 16.05.2021, Annexure P-1, registered under Sections 363, 366 read with Section 120-B of IPC, 1860, at Police Station Taragarh, Tehsil and District Pathankot.

On 06.04.2022, this Court passed the following order:-

“Status report by way of affidavit of Deputy Superintendent of Police, Sub Division Rural Pathankot, District Pathankot has been filed on behalf of respondent-State, which is taken on record.

By referring to para 3 of the affidavit, counsel for the petitioner submits that the prosecutrix in her statement recorded under Section 164, Cr.P.C. has categorically stated that she was not enticed by the petitioner.

List on 19.09.2022.

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

Upon instructions from ASI Munish, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above, without commenting upon the allegations levelled in the petition, present petition is allowed and order dated 06.04.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

19.09.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No