

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 213

CRM-M-11575-2022

Date of decision : 30.08.2022

Amit Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Varinder Basa, Advocate, for the petitioner.

Mr.M.S.Nagra, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.71 dated 29.05.2021 registered under Sections 376 and 506 IPC at Police Station Division No.1, Pathankot, District Pathankot.

On 28.03.2022 this Court had passed the following order: -

“Learned counsel for the petitioner inter alia contends that the petitioner who is 21 year old boy has been falsely implicated in this case only because he is the cousin of the main accused Gurpreet Singh; there is no other criminal case pending against the petitioner; the petitioner was not named as an accused in the FIR; only as an afterthought the petitioner was named by the prosecutrix in her statement made under Section 164 Cr.P.C.; even if the statement made by the prosecutrix under Section 164 Cr.P.C. is taken as the gospel truth, though vehemently denied, only suspicion has been raised therein qua the petitioner; after investigation the petitioner was declared innocent; the petitioner voluntarily joined and cooperated with the investigation process and that the petitioner is still ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms. Gunkirat Kaur, AAG, Punjab accepts notice on behalf of the respondent-State.

For arguments, adjourned to 30.08.2022.

Subject to the petitioner's putting in appearance before the Trial Court on the date he has been summoned under Section 319 Cr.P.C., he shall be admitted to ad interim bail to the Trial Court's satisfaction.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has shown his *bonafides* by appearing before the Trial Court and that on such appearance he has been admitted to interim bail.

After considering the above submissions made on behalf of the petitioner as recorded in the afore quoted order and because the petitioner has shown his *bonafides* by appearing before the Trial Court, it is directed that the Trial Court shall now consider making the petitioner's bail absolute in accordance with law.

Disposed of.

30.08.2022

shamsher

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

[DEEPAK SIBAL]

JUDGE