

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 201

CRM-M-12557-2022

Date of decision : 31.08.2022

Harpreet Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Lalit Goyal, Advocate, for the petitioner.

Mr.Navneet Singh, Sr. DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.5 dated 01.02.2022 registered under Sections 376-D and 366 IPC at Police Station Morinda, District Rupnagar.

On 04.04.2022 this Court had passed the following order: -

“Medico legal report of the prosecutrix which has been filed in Court today is taken on record.

Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case; the petitioner has no other criminal case pending against him; the case set up by the prosecutrix is that on 23.01.2022 she was forcefully abducted by the petitioner and released from such illegal custody on 31.01.2022; the whole story of the prosecutrix was verified and found to be false by the police and in this regard attention of this Court is drawn to the verification report dated 08.03.2022 (Annexure P-2); on 29.01.2022 the prosecutrix was exchanging messages with the petitioner on Instagram which shows that cordial relations between them were there even after the alleged forceful abduction showing falsity in the prosecutrix's claim; medical evidence reveals no injury and no sign of use of force on the prosecutrix further showing falsity in her claim and that the petitioner is also ready and willing to join and cooperate with the investigation as and when called by the investigating agency.

Notice of motion.

Ms.Gunkirat Kaur, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 31.08.2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.05, dated 01.02.2022, registered under Sections 376-D and 366 IPC at Police Station Morinda, District Rupnagar, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation which is now complete and that his custodial interrogation is not required by the State.

After considering the above submissions made on behalf of the petitioner as recorded in the afore quoted order and the afore-referred statement made by learned State counsel, the order of this Court dated 04.04.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

31.08.2022

shamsher

[DEEPAK SIBAL]
JUDGE

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