

203.

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

CRM-M-11874-2020

Date of Decision: 24.02.2022

SUSHIL KUMAR

.... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Naveen Bawa, Advocate,
for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner who has been nominated as an accused in FIR No.76, dated 31.05.2019, registered under Sections 376/120-B of IPC at Police Station Shimlapuri, District Ludhiana.

Counsel appearing on behalf of the petitioner would submit that the prosecutrix, who is a major, had taken an amount of Rs.3 lakhs from the petitioner to settle the dispute and had suffered a statement that no offence had been committed by the petitioner herein, which statement was suffered before the Additional Sessions Judge, Ludhiana. It is further submitted that in terms of the order passed by the court, the petitioner had presented himself for DNA profiling but the report received from the Chemical Laboratory at Kharar, is inconclusive.

Counsel for the petitioner would submit that as the petitioner has already joined investigation, his custodial interrogation would not be required.

Counsel appearing on behalf of the respondent-State does not dispute the fact that petitioner has joined investigation.

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 is ordered to remain on bail during investigation/trial, subject to the conditions laid down in Section 438 (2) Cr.P.C.

(JAISHREE THAKUR)
JUDGE

24.02.2022

sanjeev

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No