

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

Sr. No. 202(1)

CRM-M No. 15211 of 2022

Date of decision : 05.09.2022

Jagdish Raj @ Panku

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. S. K. Choudhary, Advocate for the petitioner.
Mr. Navneet Singh, Senior DAG, Punjab.
Ms. Deepti Rampal, Advocate for
Mr. Munish Puri, Advocate for the complainant.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.128 dated 30.12.2021 registered under Sections 363, 366, 494, 120-B (Sections 376 and 342 IPC added later on) at Police Station Taragarh, district Pathankot.

On 27.04.2022, this Court had passed the following order : -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case as he is brother of co-accused Dharam Pal who is alleged to have enticed the complainant's daughter; the petitioner has no other criminal case pending against him; the prosecutrix while appearing before the Magistrate under Section 164 Cr.P.C. has made a detailed statement in which no allegation has been made against the petitioner; no recovery is required to be made

from the petitioner and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms.Gunkirat Kaur, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State and Mr. Munish Puri, Advocate puts in appearance on behalf of the complainant.

For arguments, adjourned to 05.09.2022.

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.128, dated 30.12.2021, registered under Sections 363, 366, 376, 342, 494, 120-B IPC at Police Station Taragarh, District Pathankot, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 27.04.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

05.09.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No