

CRM-M-16251-2022(O&M)
Date of decision: 10.08.2022

ADISH JAIN

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Naresh Jain, Advocate for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

VIVEK PURI, J. (ORAL)

On 12.05.2022, the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No.401 dated 04.11.2020 under Sections 376/506 IPC, registered at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner contends that the prosecutrix is cousin of the petitioner and false allegation of commission of forcible sexual intercourse has been levelled against him. In the instant case, 3 enquiries were conducted wherein the petitioner was found to be innocent.

Furthermore, the cancellation report was also prepared on 3 occasions and thereafter another enquiry has been initiated which is still pending. There is a delay of 3½ months in submitting the complaint by the mother of the prosecutrix to the Police and the version as put forth against the petitioner is not supported with any medical evidence.

Notice of motion.

Ms. Ruchika Sabherwal, AAG Punjab accepts notice on behalf of the State.

Adjourned to 10.08.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the

satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has joined the investigation.

On instructions from ASI Sukhwinder Singh, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 12.05.2022, granting interim bail to the petitioner is made absolute.

The petition is allowed.

10.08.2022
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(VIVEK PURI)
JUDGE

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