

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

(202)

CRM-M-28135-2021.
Date of Decision:-28.02.2022.

Gurmail Singh @ Varinder

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Kanwaljeet Singh Brar, Advocate for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.94 dated 12.12.2020, under Sections 376, 406, 508 IPC and Sections 67, 67-A of Information Technology Act, 2000, registered at Police Station Sadiq, District Faridkot.

Vide order dated 20.07.2021 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner has submitted that pursuant to order dated 20.07.2021, petitioner has joined the investigation and as such his interim bail may be made absolute.

Learned State counsel, on instructions from ASI Gurmail Singh, affirmed the fact that the petitioner has joined the investigation.

However, it has been submitted that there are some photographs which are

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yet to be recovered from the petitioner and the passport of the petitioner is also yet to be recovered.

Learned counsel for the complainant has opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner is not cooperating in getting the photographs of the complainant recovered. He has shown some documents showing the whats-app chats between the petitioner and the prosecutrix. He has further submitted that the petitioner has also lodged two FIR out of which one is against the complainant.

Heard.

After hearing the learned counsel for the parties, this Court finds that the allegations and counter-allegations can be evaluated only after a thorough and fair investigation. At this stage, this Court finds that interim order dated 20.07.2021 deserves to be confirmed. Since no settlement has taken place between the parties, so the matter deserves to be decided on merits.

In view of the above, interim order dated 20.07.2021 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

February 28, 2022.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No