

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

Decided on : 27.01.2022

CRM-M-31848-2021

Sukhwinder Singh Petitioner

Versus

State of Punjab Respondent

CRM-M-31911-2021

Jasdev Kaur @ Debo Massi Petitioner

Versus

State of Punjab Respondent

CRM-M-31961-2021

Rur Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. G.S.Nahel, Advocate
for the petitioner in CRM-M-31848-2021.

Mr. Mahesh Gupta, Advocate
for the petitioner in CRM-M-31911-2021.

Mr. P.S.Sekhon, Advocate
for the petitioner in CRM-M-31961-2021.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

This order shall dispose off above-said three criminal petitions as they have arisen out of FIR No.59 dated 18.04.2021. Brief facts of the case are taken from CRM-M-31848-2021.

The present petition has been filed under Section 438 Cr.P.C. read with Section 482 Cr.PC for grant of anticipatory bail to the petitioner (s) in case FIR No.59 dated 18.04.2021 under Sections 498-A and 323 IPC 1860 (Section 376, 325 IPC and Section 3(1) of SC/ST Act added later on), registered at Police Station Sadar Dhuri District Sangrur.

Learned counsel for the petitioner(s) contend that subsequent to the registration of the FIR in question, the investigating agency did not find any substance in the allegations levelled against any of the petitioners, qua the commission of offences attracting the mischief of Sections 376, 325 of IPC & Section 3(1) of the SC/ST Act. The petitioners, thereafter, approached the Court of Sessions, seeking the concession of anticipatory bail, which was granted to them and in pursuance to which, they even joined the investigation. However, subsequently, on the same set of allegations, qua which the investigating agency had earlier found no substance, Sections 376, 325 of IPC and Sections 3 & 4 of the SC/ST Act were added by the investigating agency.

Learned counsel for the petitioner(s), therefore, contend that it leaves no manner of doubt that a fabricated version has been brought-forth against the petitioners in the FIR in question on account of her strained relations with her husband.

Learned counsel for the petitioner(s) further submits that the petitioner(s) has joined the investigation and cooperated with the investigating agency in compliance of order dated 10.08.2021.

Learned State counsel on instructions from ASI Onkar Singh does not dispute the factum of the petitioner(s) having joined the investigation. He, on further instructions states that the petitioner(s) is not required for further investigation much less custodial interrogation.

Heard learned counsel for the parties and perused the material available on record.

Since the petitioner(s) has joined investigation and cooperated with the investigating agency and in addition, there is no likelihood of

he/they absconding, the petition(s) is allowed and interim order dated 10.08.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

27.01.2022
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(MANJARI NEHRU KAUL)
JUDGE

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