

201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30028-2022

Date of decision: 15.11.2022

HARVINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Satwant Singh Ranghi, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in the case bearing FIR No.79 dated 11.05.2022, under Section 376 IPC, registered at Police Station Sadar Ludhiana, District Police Commissionerate Ludhiana.

On 15.07.2022, the following order was passed:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated by the prosecutrix after consensual relations between the petitioner and her turned sour; the petitioner and the prosecutrix both of whom were and are majors; were into a consensual relationship and therefore, no case of rape is made out against the petitioner; there is no evidence, medical or otherwise, to support the allegations of rape; the petitioner is not involved in any other criminal case and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms. Gunkirat Kaur, AAG, Punjab, accepts notice on behalf of the respondent-State and prays for time to argue the matter.

Adjourned to 15.11.2022.

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.79, dated 11.05.2022, registered under Section 376 IPC at Police Station Sadar Ludhiana, District Police Commissionerate Ludhiana, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

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

On instructions from ASI Satwinder Singh, learned State counsel also submits that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 15.07.2022, granting interim bail to the petitioner is made absolute.

The petition is allowed.

15.11.2022
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(VIVEK PURI)
JUDGE

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