

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

CRM-M-39244-2021

Date of Decision: 04.03.2022

RAJAN KUMAR

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J.(ORAL)

On 23.09.2021, the following order was passed:-

“Learned counsel for the petitioners prays for grant of anticipatory bail to the petitioner, who has been nominated as an accused under the FIR on the basis of a statement of co-accused while in custody. The FIR came to be registered mainly against Sukhbir Singh, the main accused, against whom the allegations are of abduction and keeping her locked in a room while committing rape. It is argued that the petitioner is ready and willing to join the investigation.

Notice of motion.

Ms. Rashmi Attri, AAG, Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State and seeks time to file reply.

Adjourned to 04.03.2021.

Meanwhile, petitioner is directed to join the investigation within a period of one week and on doing so, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

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

Learned State counsel, on instructions from ASI Davinder Dass, has stated that the petitioner has joined the investigation and his custodial interrogation is not required.

In the instant case, the allegations of commission of rape have not been levelled against the petitioner and the same are against Sukhbir Singh (co-accused). Furthermore, the petitioner has been stated to be nominated on the basis of the statement of the disclosure statement of co-accused and allegations against him are only to the extent that he has provided help/shelter to the main accused.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 23.09.2021, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

04.03.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No