

202 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35958-2022

Date of Decision: 08.12.2022

INDERJIT SINGH ALIAS SONA

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Gursharan Singh, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner is seeking anticipatory bail in the case bearing
FIR No.0080 dated 02.06.2022, under Sections 376/365/342/120-B IPC
registered at Police Station Raja Sansi, District Amritsar Rural.

On 16.08.2022, the following order was passed:-

*“Learned senior counsel for the petitioner inter-
alia contends that the petitioner has been falsely
implicated in this case; there is no other criminal case
pending against the petitioner; the complainant had an
affair with co-accused Mandeep Singh but she got
married to one Yusuf; after her marriage she ran away
with co-accused Mandeep Singh and stayed with him; on
03.05.2022 she was recovered by the police but the FIR
was got lodged only after an unexplained delay of one
month; even if the case of the prosecution is taken as the
gospel truth, though vehemently denied, the only
allegation against the petitioner is that the complainant
and Mandeep Singh stayed in his house and that such
allegations do not attract the applicability of Sections
376, 365, 342 and 120-B IPC qua the petitioner and that
the petitioner is also ready and willing to join and
cooperate with the investigation.*

Notice of motion.

Ms.Gunkirat Kaur, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 05.12.2022.

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.80, dated 02.06.2022, registered under Sections 376, 365, 342 and 120-B IPC at Police Station Raja Sansi, District Amritsar Rural, 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 issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Gurdev Singh, has not disputed the aforesaid factual aspect and further submits that custodial interrogation of the petitioner is not required.

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 16.08.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

08.12.2022
smriti

(VIVEK PURI)
JUDGE

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