

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

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**CRM-M-36916-2020
Decided on : 03.02.2022**

Munish Kumar Garg @ Mani

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. C.M. Munjal, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Baljit Kaur.

Mr. Anish Gautam, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 184, dated 01.11.2020, lodged under Sections 376, 506 of IPC, registered at Police Station City-2, Mansa (annexed as Annexure P-8).

Learned counsel for the petitioner *inter alia* contends that the allegations under Section 376 of IPC are patently false. It is argued that the complainant, who is his neighbour, aged 40 years is a married woman and having two children, had willingly accompanied the petitioner and thereafter, approached this High Court by filing a joint petition for protection of life and liberty, as she and the petitioner were in a live-in relationship.

Learned counsel further submits that pursuant to order dated 07th September, 2021, passed by this Court, the petitioner has joined investigation.

Learned State counsel assisted by learned counsel for the complainant, does not dispute the factum of the petitioner having joined investigation. Learned State counsel on instructions from ASI Baljit Kaur, has further submitted that the charges stand framed and the petitioner is not required for further investigation, much less, custodial interrogation.

Heard.

In view of the above, the petition is allowed and interim order dated 07th September, 2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

February 03, 2022

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No