

215/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43526-2022 (O&M)
Date of Decision: 23.11.2022

HARPREET SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vaibhav Sehgal, Advocate for the petitioner.
Mr. Amit Shukla, AAG Punjab.

* * *

VIVEK PURI, J. (ORAL)

On 20.09.2022 following order was passed:

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.163 dated 07.07.2022, registered under Sections 376/506/120-B IPC at Police Station Jamalpur, Ludhiana.

Learned counsel for the petitioner contends that the allegations with regard to commission of rape have been attributed against Gurpreet Singh, the co-accused. The name of the petitioner does not find mention in the FIR as well as the statement of the victim that has been recorded under Section 164 Cr.P.C. The petitioner has been nominated on the basis of the supplementary statement recorded on 31.08.2022 i.e. after the period of 07 weeks from the registration of the FIR. The allegations against the petitioner are to the effect that he had given shelter to Gurpreet Singh, the co-accused. Furthermore, in the statement under Section 164 Cr.P.C, Manjit Kaur, Ramandeep Kaur and Lovepreet Singh who are also nominated but they have been granted pre-arrest bail by the Court of learned Additional Sessions Judge, Ludhiana in terms of order dated 15.09.2022. Furthermore, the similarly

placed co-accused, namely, Ravi Kumar, has been granted interim bail in terms of the order dated 19.09.2022 passed in CRM-M-43187-2022.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 23.11.2022.

To be heard alongwith CRM-M-43187-2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

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

Learned State counsel, on instructions from ASI Madan Lal, has not disputed the aforesaid factual aspect and has stated that custodial interrogation of the petitioner is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 20.09.2022 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

23.11.2022

Janki

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