

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44927-2022
Date of Decision: 15.12.2022

PREET SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rakesh Kumar, Advocate for the petitioner.

Mr. Aman Dhir, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

On 28.09.2022 following order was passed:

“The petitioner is seeking anticipatory bail in case bearing FIR No.70 dated 01.04.2022 under Sections 363 and 366-A IPC registered at Police Station Kotwali, Tehsil and District Kapurthala.

The FIR has been registered on the basis of the statement of the father of the victim, who is stated to be aged about 17 years, alleging that on 28.03.2022 during the night hours, the victim has been kidnapped by the petitioner and the co-accused.

Learned counsel for the petitioner contends that the victim in her statement under Section 164 Cr.P.C. has not imputed any allegation with regard to threat, pressure or allurement alleged to have been exercised upon her by the petitioner. Presently, the victim is residing in her parental house.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab, accepts notice on behalf of the respondent-State. She, on instructions from ASI Jaswant Singh, has not disputed the fact that the victim has not imputed any allegation against the petitioner in her statement under Section 164 Cr.P.C. The victim has stated that she voluntarily left the house and even refused to get herself medico-legally examined.

Adjourned to 15.12.2022.

In the meanwhile, the petitioner is directed to join

investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

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

Learned State counsel, on instructions from ASI Rakesh Kumar, has not assailed the aforesaid factual aspect of the case and submitted that the 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 28.09.2022 is made absolute.

15.12.2022

Janki

(VIVEK PURI)
JUDGE

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