

VARINDER KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Neeraj Jain, Advocate for
Mr. Gurvinder Singh Aulakh, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.0254 dated 18.11.2021, registered under Sections 452/354/323/34 IPC, 1860 at Police Station Canal Colony, District Bathinda.

On 02.12.2021, the following order was passed:-

“By this petition, the petitioner is seeking anticipatory bail in the case bearing FIR No. 0254 dated 18.11.2021 under Sections 452/354/323/34 IPC registered at Police Station Canal Colony, District Bathinda.

Briefly, the allegations against the petitioner are to the effect that he alongwith the co-accused have forcibly entered the house of the complainant and outraged her modesty.

Learned counsel for the petitioner contends that the present case has been registered on account of political rivalry. The wife of the petitioner, namely, Rinku had contested Municipal Election and the husband of the complainant had been opposing her being Member of the opposing political party. Furthermore, at the earlier instance a dispute between Deepak Kumar, husband of the complainant and wife of the petitioner had cropped

up, wherein Deepak Kumar had apologized and compromise dated 15.10.2020 (Annexure P-3) was effected. The other co-accused have already been granted interim bail by this Court of Sessions.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to get instructions in the matter.

Adjourned to 21.03.2022.

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 in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

On instructions from ASI Gurjant Singh, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 02.12.2021, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition is allowed.

29.04.2022
renubala

(VIVEK PURI)
JUDGE

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