

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

211-A

CRM-M-20311-2023

Date of Decision: 03.08.2023

Labh Singh

.... Petitioner

Versus

The State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Navraj Singh, Advocate for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

Mr. Rahul Bhargav, Advocate for the complainant.

NIDHI GUPTA, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 407 dated 07.12.2022 registered under Section 346 IPC [Section 376 IPC was added later on vide G.D.No. 42 dated 06.03.2023 (Annexure P-6)] at Police Station Maqboolpura, District Police Commissionerate, Amritsar.

On 25.04.2023, this Court had passed the following order :-

“This is a petition for grant of pre-arrest bail in case FIR No.407 dated 07.12.2022 under Section 346 IPC, registered at Police Station, Maqboolpura, District Police Commissionerate Amritsar, and Section 376 IPC (added later on vide G.D. No.42 dated 06.03.2023).

Learned counsel for the petitioner contends that on similar allegations, as have been levelled against the petitioner, his wife/co-accused has already been granted interim bail by this Court vide order dated 20.04.2023 passed in CRM No.M-19290 of 2023.

Notice of motion.

Mr. Jashandeep Singh, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State. Mr. Rahul Bhargav, Advocate, has put in appearance on behalf of the complainant.

Adjourned to 03.08.2023.

To be heard alongwith CRM No.M-19290 of 2023.

In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest he shall be released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 25.04.2023 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Sukhdev Singh states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 25.04.2023 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. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

03.08.2023

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No