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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50610-2021
Date of decision: 11.12.2023

GURDIAL SINGH AND ANR.
...PETITIONERS

VERSUS

STATE OF PUNJAB
...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vinay Bajaj, Advocate for
Mr. G.L.Bajaj, Advocate for the petitioners.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI,J. (ORAL)

1.
- On 16.11.2022, the following order was passed:-
- “Petitioners are seeking anticipatory bail in case bearing FIR No. 181 dated 30.10.2021 under Sections 376-D, 120-B IPC, registered at Police Station Sadar Ferozepur, District Ferozepur.*

Learned counsel for the petitioners contend that the prosecutrix is the daughter-in-law of petitioner No.1. The husband of prosecutrix has since died. The dispute with the prosecutrix is with regard to the inheritance of the deceased son of petitioner No.1. Even otherwise, the allegations with regard to commission of rape have not been attributed to the petitioners. At the earlier instance, the cancellation report was prepared and submitted in the Court. However, the same has not been accepted and the matter is still pending further investigation.

Learned State counsel has not disputed the fact that the cancellation report was not accepted by the learned Illaqa Magistrate and further investigation is still pending. Adjourned to 16.01.2023.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”
2.
- Learned counsel for the petitioners contend that the petitioners have
- joined the investigation in pursuance of interim directions.

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3. On instructions from ASI Balwinder Singh, learned State counsel has not disputed the aforesaid factual aspects and also submits that the petitioners have joined the investigation and their custodial interrogation is not required.
4. In view of the aforesaid submissions, the order dated 16.11.2022, granting interim bail to the petitioners is made absolute.
5. The petition is allowed.

11.12.2023
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(VIVEK PURI)
JUDGE

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