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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-49880-2022 (O&M)
Date of decision : 17.07.2023

Daljit Singh Alias Sonu ... Petitioner(s)
Versus
State of Punjab ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. C.S. Bakhshi, Advocate for the petitioner.
Mr. Adhiraj Singh Thind, AAG Punjab.
Mr. G.S. Sirphikhi, Advocate for the complainant.

ALKA SARIN, J. (ORAL)

1. On 06.12.2022 the following order was passed :

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking grant of anticipatory bail in FIR No.88 dated 05.09.2022, registered for offences under Sections 376 and 506 of the Indian Penal Code, 1860, at Police Station Ghanie Ke Bangar, Police District Batala, Annexure P-1. Counsel for the petitioner submits that the allegation levelled by the prosecutrix is that she was known to the petitioner for the last six years. He submits that FIR, Annexure P-1, has been registered as the relationship did not fructify into marriage. Reliance has been placed by the counsel upon the judgment of the Supreme Court in Ansaar Mohammad Versus State of Rajasthan and another 2022(3) R.C.R. (Criminal) 917. By referring to the report at page 20 of the paper-book, counsel submits that the allegation of abortion has not been

substantiated as the prosecutrix did not submit any medical report to the Investigating Officer.

List on 17.07.2023.

Petitioner is directed to join the investigation on 12.12.2022 at 11.00 A.M. at Police Station Ghanie Ke Bangar, Police District Batala and co-operate with the Investigating Agency. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

2. Learned counsel for the State, on instructions from ASI Gurdev Singh, has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now. The submission of learned State counsel is also not disputed by learned counsel for the complainant.
3. In view of the above, the order dated 06.12.2022 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.
4. Disposed off accordingly. Pending applications, if any, also stand disposed off.

17.07.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO